

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31978 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- PATEPUR District- Vaishali

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Moti Lal Rai @ Motilal Pankaj, S/o Anup Lal Rai @ Heman Rai, R/o
Bahuara, P.S.- Patepur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Patepur P.S. Case No.20 of 2018 registered under Sections 406 and
420/34 of the Indian Penal Code.

The allegation is that on 21.06.2016, Anup Lal Rai alias
Heman Rai along with his son Moti Lal (petitioner) came at the
house of the informant and asked for money for the purpose of
performing the marriage of his daughter and talked for selling the
land and, thereafter, they went from there. On 22.06.2016, they
again came at the house of the informant and negotiated to sell the
land at the rate of Rs.5,00,000/- per Katha and took Rs.4,00,000/-
from the informant as advance and asked to pay the remaining
amount of Rs.1,00,000/- at the time of execution of the sale deed of



the land but, later on, the petitioner and his father neither executed the sale deed on taking the remaining amount of Rs.1,00,000/- nor returned the money as taken in advance.

Learned counsel for the petitioner submits that the petitioner and his father are the neighbours of the informant and no talk for selling the land, as alleged in the F.I.R., was made in between them and the informant nor any paper was prepared in that regard. Only to put undue pressure upon the petitioner and his father to execute the sale deed in respect of the land, situated near the house of the informant, by the petitioner and his father, this false case has been lodged by the informant. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Patepur P.S. Case No.20 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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