

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.435 of 2015

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1. Shankar Prasad son of Late Ghurhu Sah, Resident of village-
Bhagwanpur, P.S. Chainpur, District Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal

For the Respondent/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-01-2018 The order dated 22.01.2015, whereby cognizance

had been taken against the opposite parties only under Sections
417, 323 and 504/34 of the Indian Penal Code and not under
Sections 420, 467 and 468 of the Indian Penal Code as desired by
the petitioner, has been challenged.

The allegation in sum and substances is that the
petitioner had paid money to opposite parties for vending a plot of
land and Rs. 80,000/- was also paid by him. Later, on finding that
the ownership as well as the possession of the land in question was
under doubt, the petitioner wanted his money to be returned. An
arrangement was made by the opposite parties to hand over a
motorcycle to the petitioner, which was purchased from the money
advanced by the petitioner. The motorcycle admittedly has been
given to the petitioner. The dispute arose on account of the



opposite parties not paying the balance amount of Rs. 20,000/- to the petitioner.

From the facts, it appears that no offence under Sections 420, 467 and 468 of the Indian Penal Code is made out. The court below has rightly taken cognizance under Sections 417, 323 and 504 of the Indian Penal Code.

As such, the present revision petition is dismissed as being devoid of merit.

(Ashutosh Kumar, J.)

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