

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56595 of 2018

Arising Out of PS. Case No.-962 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Raza Ram Prasad, Son of Late Sita Ram Mahto, Resident of Mohalla- Near
Pitambhara Mandir Colony, Beside Bal Vidya School, P.S.- Alamganj, P.O.-
Guljarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ranjeet Kuamr Sinha, age 40 years, Son of Rudra Dev Prasad, Resident of
Challital, P.O. Gulzarbagh, P.S.- Alamganj, District- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha
For the Opposite Party/s : Mr. Smt. Gulnar Begam

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 26-10-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Complaint Case No. 962**
of 2016 registered for the offence punishable under Sections
406, 420, 323, 504/34 of the Indian Penal Code.

Allegation against the petitioner is of taking
consideration money of Rs. 4,50,000/- for selling a piece of
land to the Informant-Opposite Party No. 2, but after taking
the aforesaid consideration money, not executing the sale
deed in favour of Informant-Opposite Party No. 2.



It has been submitted on behalf of the petitioner that he admits that he had taken Rs. 4,50,000/- from the Complainant (Informant) and is ready to refund the same. It has been further submitted on behalf of the petitioner that no criminal offence is made out rather the dispute is purely a civil dispute. Petitioner has got no criminal antecedent and is in custody since 29.05.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on **provisional bail for a period of five months** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **ACJM-IIIrd, Patna City** in connection with **Complaint Case No. 962 of 2016**, with following conditions:-

(1) Petitioner shall pay Rs. 90,000/- per month to the Informant-O.P. No. 2 for a period of five months and after payment of last installment of Rs. 90,000/- the provisional bail of the petitioner shall be confirmed and if the petitioner fails to pay the total amount of Rs. 4,50,000/- in five months, his provisional bail shall stand cancelled.



(2) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(3) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(4) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

