

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20720 of 2018

Arising Out of PS.Case No. -129 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Md. Afzal @ Afzal Imam son of Kamaluddin resident of Village Chandauti,
P.S. Belaganj, District Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Saiyad Sharim All sons of Saiyad Shoukat Ali resident of Village -
Awgila, P.S. Muffasil, District - Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar
For the Opposite Party/s : Mr. Sanjay Kumar Pandey
For the Informant : Mr. Dr. Kamal deo Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-09-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Muffasil P.S.Case No. 129 of 2017 registered for the offences
punishable under Sections 420 and 406 of the Indian Penal Code.

Allegation against the petitioner is that he has taken Rs.2
lakhs from the informant for execution of sale deed with respect to
a piece of land in favour of the informant but he has not executed
sale deed and not returned the money.

Submission of learned counsel for the petitioner is that as
the cost of the land has been hiked he has not executed the sale
deed and he is ready to return the money.

Heard learned APP and learned counsel for the



informant, who has opposed the prayer for anticipatory bail stating that apart from the above amount of Rs.2 lakhs he has spent Rs.1 lakh towards extra cost for that.

Having heard both sides and in the facts and circumstances, let the petitioner, named above, surrender within a period of eight weeks along with a Bank Draft of Rs.2 lakhs payable to opposite party No.2 and once the same is deposited the petitioner shall be released on bail by the court below to its own satisfaction and it is made clear that the deposit of amount will be subject to result of the case and will not prejudice the case of the parties.

For the period of eight weeks, no coercive action shall be taken against the petitioner.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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