

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47959 of 2018

Arising Out of PS. Case No.-1261 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Hemant Kumar @ Hemant Raut, Son of Late Yogi Raut, Resident of Village-
Bhawdepur, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Krishna Nandan Singh, Son of Late Mukti Nath Singh, Resident of Mohalla-
Sri Krishna Nagar, Ward No.1, Mehsaul West, P.S.- Sitamarhi, District-
Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-11-2018 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in
connection with Complaint Case No. C-1/1261 of 2016,
registered for the offences punishable under Sections 323, 406
and 420 of the Indian Penal Code.

The complainant had paid money to the petitioner
for purchase of a land from some other person.

Submission of the learned counsel for the petitioner
is that the statement of the complainant on oath would reveal
that only rent receipt in the name of Gauri Shankar Sharma was
seen at the time of agreement with the petitioner. Rent receipt is



not a document of title. Even there is no agreement with the petitioner enforceable under the law.

On the other hand, learned counsel for the informant submits that the petitioner had granted a receipt showing receiving of Rs. 5,25,000/- and has agreed to refund the same.

The dispute, apparently, appears to be of civil nature, hence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Complaint Case No. C-1/1261 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Mkr./banti-

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