

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.687 of 2018

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1. Sanjay Kumar, S/o Raghu Nandan Singh, Resident of Village-Mogalpur, P.S.- Bakhtiyarpur, Dist.- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Mayank Manwendra, S/o Manwendra Singh, Resident of Saket Tower, Flat No. 107, S.P. Verma Road, P.S.- Kotwali, Distt.- Patna.

.... Respondents

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the opposite party no. 2 : Mr. Manish Kumar, Adv.
For the Respondent/s : Mr. S. Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL JUDGMENT

Date: 04-09-2018

The instant revision application has been preferred by the petitioner for setting aside the order dated 09.10.2017 passed in G.R. No. 2637/17 arising out of Kotwali P.S. Case No. 185/17 passed by the learned Chief Judicial Magistrate, Patna, whereby, the bail bond furnished by the petitioner was cancelled and the direction was given for issuance of non bailable warrant.

Facts of the case are that an agreement was entered into between the petitioner and opposite party no. 2 for execution of sale deed of 92 kathas of land in favour of opposite party no. 2 for a total consideration of Rs. 2,07, 00,000 (Rs. Two Crore Seven Lakhs), out of which, opposite party no. 2 has given Rs. 1,47,00,000/- (One Crore Forty Seven Lakhs) but the petitioner on



the date of execution of sale deed denied to execute the land in favour of opposite party no. 2 .

At the very outset, it has been submitted by learned counsel for the petitioner that he is ready to execute the sale deed in favour of the opposite party no. 2, if the opposite party no. 2 is ready to pay the balance amount of Rs. Sixty Lakhs.

Learned counsel appearing on behalf of the opposite party no. 2 acceded the said proposal of the petitioner and admitted to deposit the remaining amount of Rs. 60,00,000/- (Rs. Sixty Lakhs) before the court below.

Considering the submission of the parties, this application is disposed of with direction to the petitioner to execute the sale deed in favour of the opposite party no. 2 within a period of one month and at the same time, opposite party no. 2 is also directed to deposit a cheque of Rs. 60,00,000/- (Rs. Sixty Lakhs) drawn in favour of the petitioner, which will be released by the court below in favour of the petitioner after execution of sale deed by him.

It is made clear that no coercive step will be taken against the petitioner within a period of one month in connection with G.R. No. 2637/17 arising out of Kotwali P.S. Case No. 185/17.

Once, the sale deed is executed and amount is deposited and released in favour of petitioner, petitioner shall be released on bail to the satisfaction of concerned court below.



The above order is being passed for the purpose of one time settlement between the parties.

(Vinod Kumar Sinha, J)

sunil/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.09.2018
Transmission Date	15.09.2018

