

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11147 of 2018

Arising Out of PS. Case No.-285 Year-2017 Thana- NAUTAN District- West Champaran

Prabhu Das, S/o Late Basudeo Das, resident of Village- Gamhariya, P.S.- Jagdishpur, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Adv.
For the Informant	:	Mr. Sanjay Kumar No.2, Adv.
For the State	:	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nautan (Jagdishpur) P.S. Case no. 285 of 2017, registered under Sections 341, 323, 379, 406, 420, 427 and 504/34 of the Indian Penal Code.

The allegation of informant Md. Ekram Ansari is that petitioner approached him to sell his land showing the need of money of Rs. Three lakhs. Thereafter, villagers fixed Rs. Four lakhs as price of two katha land. Accordingly, informant gave Rs. Three lakhs at once on execution of agreement of sale with description that informant will paid



remaining Re. One lakh till 31.03.2017 and the petitioner will execute the sale deed, but in spite of several requests made by the informant, petitioner neither took the remaining Rs. One lakh nor he become ready to execute the sale deed. When informant approached the petitioner then petitioner and his wife Shanti Devi abused him and tried to cause assault through fist and slaps

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the dispute is civil in nature. Further submission is that, in fact, the petitioner has filed the complaint petition No. 587 of 2017 for the offence under Sections 147, 149, 420, 406, 467, 468, 384, 471, 120(B), 323, 504 and 506 of the I.P.C. against informant and others due to that reasons, the present case has been lodged.

Learned counsel appearing on behalf of the informant submits that after investigation the Police submitted Chargesheet.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of the Addl. Chief Judicial Magistrate-VI, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 285 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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