

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33664 of 2018

Arising Out of PS. Case No.-2852 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Ajit Kumar S/o Murari Lal Yadav, R/o Mohalla- Shekhpura, Brahm Asthan,
Raja Bazar, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Mamta Kumari W/o Manish Kumar , R/o Mohalla- Raja Bazar, P.S.-
Shashtri Nagar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-06-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2852(c) of 2016 registered under
Sections 406, 420, 120(B)/34 of the Indian Penal Code.

The allegation of complainant, Mamta Kumari, is
that petitioner entered into an agreement with accused no. 2,
Pintu Kumar Yadav, to purchase the land, but he could not
succeed. Thereafter, her husband met to accused no. 2, Pintu
Kumar Yadav, who showed the land. Accordingly, her husband
purchased the land on payment of consideration amount of
57,82,000/- on 14.11.2013, in which, accused no. 3, Chotu @



Sanjay Kumar as mediator also took 2% of consideration amount as commission. Thereafter, name of her husband was mutated in the revenue paper and boundary wall was constructed up to 4". Later on, her husband Manish Kumar sold the said land to Kamlesh Sharma on 09.03.2016. When Kamlesh Sharma started to construct the house on the land then local people started to create disturbance on pretext that mother of co-accused, Pintu Kumar Yadav, has already sold the land to co-operative society, of which, they are members.

Learned counsel for the petitioner submits that, in fact, petitioner is the employee of Andhara Bank and at present he is posted at Lucknow. While he entered into an agreement to purchase the land as detailed in the complaint petition, but due to money problem he could not purchase the land. Further submission is that petitioner has been made accused only on the ground that he had earlier entered into an agreement to purchase the aforesaid land with accused no. 2, Pintu Kumar Yadav.

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 six 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 J.M. Ist Class, Patna, in connection with Complaint Case No. 2852(c) of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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