

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13068 of 2018

Arising Out of PS.Case No. -640 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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Sujit Kumar Jha, Son of Baijnath Jha, Resident of Village- Matiyari, Ward No.07, P.S.- Forbesganj, Dist- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sudhir Prasad Yadav, Son of Late Srideo Prasad Yadav, Resident of Village- Sultan Pokhar, Ward No.2, P.S.- Forbesganj, Dist- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Asharaf Ansari
For the O.P. No.2 : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018 Petitioner apprehends his arrest in connection with Complaint Case No. 640 C of 2016 lodged for the offences punishable under Section 420 of the Indian Penal Code.

Allegation against the petitioner is that he negotiated with the complainant for sale of some land and taken Rs.5 lakhs but thereafter he did not execute the sale deed.

Submission of learned counsel for the petitioner is that though there is agreement but no date has been mentioned in it and no description of land has been mentioned and further the petitioner and complainant were actually transacting purchase and sale of paddy and wheat and in that connection signature was taken in stamp paper and the same was converted into an agreement for sale.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of



the petitioner stating that in stamp paper date has been mentioned and in spite of taking money he has not returned the same.

Having heard both sides and in the facts and circumstances and in view of nature of allegation, let the petitioner, above named, surrender within a period of six weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Araria, in connection with Complaint Case No. 640 C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and petitioner has to co-operate in trial and appear in court as and when required.

(Vinod Kumar Sinha, J)

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