

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61233 of 2017

Arising Out of PS.Case No. -366 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Mirtunjay Kumar, son of Late Amar Nath Gupta, Resident of village-
Chhoti Badalpura, P.S. Khagaul, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arun Kumari Sinha, S/o Shashi Bhushan Pd. Moh- Nimtalla Road,
Khagaul, P.O. & P.S.- Khagaul, Distt.- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh

For the Opposite Party/s : Mr. Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-02-2018 The petitioner seeks anticipatory bail in connection with

Complaint Case No. 366(C) of 2016 registered for the offences

punishable under Section 420 of the Indian Penal Code.

Despite valid service of notice on the Opposite Party No.2,
neither the Opposite Party No.2 nor his counsel has bothered to
appear in this case.

Heard the learned counsel for the petitioner and learned
counsel for the State.

The prosecution case, according to the complaint petition, is
that one Arun Kumar Sinha agreed to sell a house along with land
belonging to the complainant and an agreement was also entered
into as well as the sale consideration was fixed at Rs.35,00,000/-



out of which a sum of Rs. 11,00,000/- is said to have been paid to the petitioner as earnest money. It has been further alleged that the petitioner herein, who is the owner of the said land, is refusing to get the land registered in favour of the complainant.

The learned counsel for the petitioner submits that the present dispute is purely a dispute of civil nature and the remedy of the petitioner lies before the appropriate court of civil jurisdiction.

Having regard to the facts and circumstances of the case, the provisional bail already granted to the petitioner herein by an order dated 22.12.2017 is confirmed.

The petition is disposed of.

(Mohit Kumar Shah, J)

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