

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31027 of 2018

Arising Out of PS. Case No.-2011 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Islam Mian s/o Sri Jalim Miya
Resident of Vilalge- Rampur, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner

Versus

1. State Of Bihar
2. Sk. Sakir Hussain

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Adv.
For the Opposite Parties : Mr. Abhay Kumar Roy, APP 229

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-05-2018

Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in connection with Complaint Case No.2011-C of 2016 (Tr. No.3546 of 2017) for the offences registered under Sections 406, 504 & 506 of the Indian Penal Code.

Complainant has made complaint that there is an agreement of sale of tractor on consideration amount of Rs. 2,75,000 and he was given possession of the tractor. But subsequently the accused persons took forcible possession of the tractor and has declined to refund the amount.

It has been contended on behalf of the petitioner that he is innocent and has falsely been implicated in this case and terms of the oral agreement was violated by the informant and, therefore, the tractor was taken by the accused persons and the dispute is civil nature and no criminal offence is made out. It has been further submitted that he has clean antecedent.



Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/ (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran, in Complaint Case No.2011-C of 2016 (Tr. No.3546 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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