

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39328 of 2018

Arising Out of PS. Case No.-1279 Year-2017 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Binod Kumar Sah S/o late Yogendra Sah @ Yogendra Prasad Saha, R/o Vill.-
Kasba, P.S.- Kasba, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Md. Wajuddin @ Wajiuddin S/o Late Sahadat, R/o Vill.- Ekra, P.S.- Amour,
District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv, Mr. Vijay Anand, Adv and Ms. Preety Kunwar, Adv
For the State	:	Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 07-09-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

The petitioner apprehends his arrest in connection
with **C.A. Case No. 1279 of 2017** registered for the offence
punishable under Section 420, 467, 468 and 471 of the
Indian Penal Code.

Allegation against the petitioner is of allegedly
executing sale deed of land without having Title and
possession of land rather land belongs to Informant for
which title suit is pending between the parties. No criminal
offence is made out. The purchaser of land have no



grievance having paid the consideration money. A seller cannot pass a better title than what he possess. Petitioner has succeeded before the Civil Court. Petitioner has no criminal antecedent. Dispute is purely of civil nature.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **C.J.M. Purnea** in connection with **C.A. Case No. 1279 of 2017** subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two



consecutive dates without proper and
reasonable reason will be sufficient to cancel
his bail bond.

(S. Kumar, J)

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