

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35116 of 2018

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1. Mahendra Chaudhary, Son of Late Ram Khelawan Chaudhary, Resident of Village- Barpa Tola- Bahuwara, Police Station- Pauthu, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-07-2018

Heard both sides.

The petitioner apprehends his arrest in Pauthu P.S.

Case No.21 of 2018 registered under Sections 406, 420 and 34 of the Indian Penal Code.

Jai Niwas Sharma, the informant alleged that he and his brother, Ranjit Sharma purchased a piece of land of Khata No.8, Plot No.1662, area 27 ½ decimals from Birendra Mishra on 01.09.2004 through a registered sale deed but due to inadvertence, instead of Khata No.9, Khata No.8 was typed in the registered sale deed. When the informant went to his purchased land, Mahendra Chaudhary and Birendra Chaudhary disclosed that they purchased the land from Birendra Mishra.

The learned counsel for the petitioner submits that the



petitioner is a bonafide purchaser from Birendra Mishra. Petitioner has committed no forgery nor the petitioner cheated anybody.

Considering the facts aforesaid that the petitioner is a bonafide purchaser from Birendra Mishra who is said to have sold the land in the year 2004 in favour of the informant, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Aurangabad in connection with Pauthu P.S. Case No.21 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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