

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1869 of 2019**

Arising Out of PS. Case No.-1562 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Robaya Khatoon @ Robeya Khatoon wife of Late Jahid Hussain
 2. Nahid Hussain son of Late Jahid Hussain
 3. Sahid Hussain son of Late Jahid Hussain
- All are resident of village Kalayanpur P.S. Kalyanpur, District East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Paras Prasad son fo Late Gopal Jee Prasad Resident of Village- Kalyanpur, P.S.- Kalyanpur, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Sri Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 12-03-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Csa No.2311 of 2018 arising out of Complaint Cse No.C-1562 of 2017 , registered for offences punishable under Section 406, 420 of the Indian Penal Code.

This case as per the complaint petition is that an agreement for purchase of 01 katha and 19 dhur of land was made on consideration money of Rs.5,24,000/- and paid Rs.03 lac but later on she came to know that the petitioner is not original owner rather one Shamshad Ali is the original owner as



such she executed the sale deed from Shamshad Ali and she demanded money back from the petitioner but he refused to pay the money.

Submission of the learned counsel for the petitioner is that he had already sold the land to the petitioner, who is genuine owner and if she is aggrieved by the same, she should have filed a case for cancellation of the sale-deed and in spite of that the total money has not been given to the petitioner. .

Heard learned A.P.P. and the learned counsel for the informant and they have opposed the prayer for bail stating that on the forged paper the sale-deed has been executed in favour of the complainant.

Having heard both sides and considering the nature of allegation, let the provisional bail earlier granted to the petitioner, vide order dated 15.01.2019 passed in Cr. Misc. No.1869 of 2019, is hereby confirmed .

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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