

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3910 of 2019**

Arising Out of PS. Case No.-340 Year-2018 Thana- PURNIA COMPLAINT CASE District-  
Purnia

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Md. Abbas Sah @ Md. Abbas, aged about 51 years, Male, Son of Late Salam Sah, resident of Village- Darji Patti, Ward No. 10 , P.S- Banmankhi, District- Purnea.

... .. Petitioner

Versus

1. The State of Bihar.
2. Tabassum Khatoon, D/O Md. Nayeem, resident of Village-Darji Patti, Ward No. 10, P.S Banmankhi, District-Purnea.

... .. Opposite Parties

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**Appearance :**

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|--------------------|---|---------------------------------|
| For the Petitioner | : | Mr.Ram Prawesh Kumar, Advocate. |
| For the State      | : | Mr.Abhay Kumar, A.P.P.          |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      29-01-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 406 and 420 of the IPC.

The prosecution story, in brief, is that the petitioner  
entered into an agreement on 21.04.2015 with the father of the  
complainant for sale of piece of land and complainant's father  
advanced Rs. 2,00,000/- out of total consideration amount of Rs.  
4,50,000/-. As per agreement, on 21.05.2018, the complainant  
and his father went to the petitioner and requested to execute  
sale deed after receiving remaining consideration amount but he  
willfully neglected but accused persons abused and took Rs.



1200/- from possession of the complainant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The father of the complainant had made an agreement with the petitioner in respect of land in question. The said sale deed has already been executed in favour of father of the complainant by the petitioner prior to institution of the present case. For petty reason, the present case has been instituted by the complainant. The matter relates to civil dispute.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea, in connection with Complaint Case No. 340 of 2018, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

**(Sudhir Singh, J)**

U.K./-

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