

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16532 of 2019**

Arising Out of PS. Case No.-2607 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE  
District- Muzaffarpur

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Munna Kumar Son of Late Yogi Paswan Resident of Village - Professor  
Colony Near Hanuman Temple, Dumari, P.S.- Sadar, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Kumar Son of Ram Pukar Sharma Resident of Mohalla - Rewa  
Road, Bhatwanpur, Behindof Batta, P.O.- Bhagwanpur, P.S.- Sadar, District -  
Muzaffarpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar, Advocate  
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

7      24-07-2019                      Heard learned counsel for the petitioner and learned  
APP representing the State.

The petitioner apprehends his arrest in connection  
with Complaint Case No. 2607 of 2015 (Trial No. 1690 of  
2019), in which cognizance has been taken under Section 420 of  
the Indian Penal Code.

The allegation against the petitioner, as per the  
complaint, is that the petitioner entered into an agreement with  
the complainant for sale of a piece of land bearing Khata No.  
69, Kheshra No. 1351 having an area of 4 decimal at Mohalla  
Goversahi Dumari, for a total consideration of Rs. 7,50,000/-,  
out of which the complainant paid a sum of Rs. 3,35,000/- to the



petitioner. It has further been alleged that after taking money, the petitioner did not execute the sale deed in favour of the complainant and on the contrary he got sale deed executed in favour of his wife by sale deed dated 03.05.2013.

Learned counsel for the petitioner submits that the petitioner is ready to return a sum of Rs. 3,35,000/- in three equal installments, in favour of the complainant, as a condition for grant of anticipatory bail.

The offer made by the petitioner is accepted by learned counsel appearing for the complainant/O.P. No.2.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is ready to pay the above amount of Rs. 3,35,000/- to the complainant in three equal installments, I am inclined to grant anticipatory bail to the petitioner on the condition that the petitioner have to pay the amount of Rs. 3,35,000/- in three equal installments by way of bank draft in favour of the complainant. The first installment of Rs. 1,11,666.66/- will be paid by the petitioner to the complainant by 05<sup>th</sup> August, 2019.

This application is, accordingly, allowed, on the above-mentioned condition.

Let the petitioner, abovenamed, in the event of arrest



or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate (East) Muzafarpur in connection with Complaint Case No. 2607 of 2015 (Trial No. 1690 of 2019); subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of surrender, the petitioner have to show the payment receipt received from the complainant before Court below.

**(Anil Kumar Sinha, J)**

S. Katyayan/-

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