

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23284 of 2019

Arising Out of PS. Case No.-1495 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ASHOK KUMAR son of Late Ramadhin Prasad, resident of Mohalla - Postal
Park, House No. 4, Road No. 1, P.S.- Kankarbagh, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phul kumari Devi, wife of Raju Pardhan R/o - Chhotaka Dhakaich, P.S.-
Krishna Brahm, P.O.- Badka Dhakaich, District- Buxar Ar present Resident
of - West Devi Asthan Lane house of Nagina Rai, Khasmahal, P.S.-
Kankarbagh, P.O.- G.P.O. , District- Panta- 1

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandrashekhar
For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-04-2019 Heard the parties.

Petitioner seeks bail in Complaint Case No.

1495(c) of 2018 registered under Sections 406, 420, 506

and 120(B) of the I.P.C.

Accusation is that the petitioner along with his

wife Veena Devi were accompanied by Kumkum Devi

and Geeta on 2.2.2017 to the house of the complainant

Fulkumari Devi, for the purpose of selling the house

situated at Postal Park, Patna in the month of February,



2017. After perusing paper regarding the house the complainant also visited the house of the petitioner where paper was also shown in respect of the partition and allotment of the house in share of the petitioner and consideration amount was fixed of Rs. 37,30000/- and the complainant paid Rs. 36,00000/- in three installments. Thereafter, petitioner along with his both sons executed the registered agreement to sale on 08.02.2017 to execute the sale deed within eleven month. But later on despite several approach by the complainant the petitioner did not execute the sale deed. When the notice was sent by the complainant Phool Kumari Devi, no response was given by the petitioner.

Learned counsel appearing of behalf of the petitioner submits that it would appear from the allegation as made in the complaint petition dispute is of civil nature and the petitioner having no criminal antecedent is in custody since 02.02.2019.

On the other hand learned counsel for the informant submits that in spite of the approach made by



the complainant the petitioner did not take care to execute the sale deed and the petitioner and his two sons have executed the agreement to sell regarding the aforesaid house in favour of one Yasoda Devi on 12.02.2017.

Having regard to the facts and circumstances of the case and nature of allegation, let the petitioner, above named, be released on bail on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-XIV, Patna, in Complaint Case No. 1495 (c) of 2018.

(Rajendra Kumar Mishra, J)

aks/-Rahul

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