

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22753 of 2019

Arising Out of PS. Case No.-1528 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Ashique Hussain, Son of Late Amjad Ali Resident of Village - Azampur Gola,
P.S.- Manihari, Distt.- Katihar, Presently resided - Sariffganj Near Zila School
P.S.- Katihar Town, Distt.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Maskur Son of Late md. Jalil Resident of Village - Baida, P.S.-
Amdabad, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Pancha Nand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 09-09-2019 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State as well as Opposite

Party No.2.

Petitioner apprehends his arrest in connection with

C.A. Case No.1528 of 2018, in which cognizance under

Sections 406, 420, 323, 120(B) of the Indian Penal Code has

been taken by the learned Magistrate.

The allegation against the petitioner as per the

complaint is that a sum of Rs.1,50,000/- was given to the

complainant by the petitioner by way of advance for purchase of

piece of land, having a total consideration amount of

Rs.20,25,000/-. It has further been alleged that further a sum of



Rs. 2 lakhs was also given to the petitioner by the complainant and requested him to execute the sale deed of the land in question but he has not executed the sale deed and abused the complainant and threaten him of dire consequences.

Both learned counsels for the petitioner and Opposite Party No.2 jointly submit that now the entire payment has been received by the petitioner from the complainant towards the consideration amount of the land in question and the petitioner has executed a sale deed of the subject land in favour of complainant by way of registered sale deed dated 03.09.2019.

Learned counsel for Opposite Party No.2 accepts the statement made by learned counsel for the petitioner that sale deed has been executed in his favour.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of Opposite Party No.2 and taking into consideration the fact that the sale deed has been executed by the petitioner in favour of the complainant, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon



furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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