

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23375 of 2019

Arising Out of PS. Case No.-100 Year-2016 Thana- PATNA CITY CHOWK District- Patna

Amitabh Pankaj Duvedi, Son of Late Anant Prasad Duvedi, Resident of
Dundi Bazar, P.S-Chowk, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi, W/o Arjun Rai, Ghagha Gali, P.S.-Chowak, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anshuman, Advocate.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Chowk
P.S. Case No. 100 of 2016 registered under Sections 406, 420
and 504/34 of the Indian Penal Code.

The accusation is that informant-opposite party no. 2
entered into an agreement to sale with the petitioner to purchase
four dhoor land of plot no. 830, Circle No. 161, Ward No. 27/33,
52 and 62 situated at Dhndi Baxar, Chowk P.S., Patna, fixing the
consideration amount of Rs.16,00,000/- and out of which,
informant-opposite party no. 2 paid Rs.15,00,000/- till
10.05.2016. The terms and conditions was disclosed in the



aforesaid agreement to sale to produce the rent receipt and demarcation of land on spot and also obtaining the “No Dues Certificate” by the petitioner by 28.05.2016 and till 28.05.2016, there was also an agreement to execute the sale deed or to return the money. But in spite of passing over the much time, petitioner has not executed the sale deed or returned the aforesaid amount, which was given by the informant-opposite party no. 2.

Learned counsel for the petitioner submits that petitioner had filed Criminal Misc. No. 30367 of 2017 under Section 438 (2) of the Cr.P.C. for grant of pre-arrest bail, which was allowed on 07.08.2017 with condition that petitioner will pay Rs.13,00,000/- to the informant-opposite party no. 2 within three months after selling the land but petitioner could not succeed to sale the land due to illegal interference by the informant-opposite party no. 2 and due to that reason, petitioner surrender before the trial court on 04.05.2018 and since then he is in custody.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-II, Patna City, Patna, in connection



with Chowk P.S. Case No. 100 of 2016. Out of two sureties, one
surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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