

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24193 of 2019

Arising Out of PS. Case No.-671 Year-2014 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Zamir @ Zamir @ Jamil Akhtar, Son of Allauddin, Resident of Village -
Lal Bagh Naya Tola, P.s.- Manhari, Distt- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Mujjamil, Son of Abullah, Resident of Village - Bauliya Diyara, P.S.-
Maihari, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Ramanand Poddar, Advocate
		Mr. Rabindra Kumar Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-07-2019 This is an application for grant of anticipatory bail in
connection with Complaint Case No. 671 of 2014, disclosing
offences under Sections 120B, 420, 465, 504, 323 of IPC.

Allegation as per complaint petition is that one Veena
Devi has executed a deed of agreement for a piece of land in
favour of the petitioner, thereafter petitioner on that basis has
made an agreement with the complainant for the said piece of
land and received an amount of Rs.3,00,000/- from the
complainant.

Submission of learned counsel for the petitioner is
that said Veena Devi has not handed over the land to the
petitioner, as such, she could not execute the sale deed. Further



there is no cheat of paper in respect of the complainant that he has given Rs.3,00,000/- to the petitioner. It has further been submitted that despite that petitioner is ready to return at least 50% of the amount, if some reasonable time is given to him and the said amount is subject to the result of the case.

Heard learned APP as well as learned counsel appearing on behalf of the complainant, they have opposed the prayer for anticipatory bail.

Having heard both sides, let the petitioner, above named, surrender before the learned court below by 29.07.2019 with a bank draft of Rs.1,00,000/- payable in the name of opposite party no.2/complainant and on payment of said amount, he will be released on provisional bail for a period of one month. During that period, he will also deposit Rs.50,000/- in favour of the opposite party no.2/complainant. Once those amounts have been deposited, the bail bonds of the petitioner shall be confirmed and the aforesaid amount is subject to the outcome of the case.

It is needless to say that the said amount is released on filing of an application and undertaking by the opposite party no.2/complainant that she will be abide by outcome of the case.



With the aforesaid observations, this application is
disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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