

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29738 of 2019**

Arising Out of PS. Case No.-1041 Year-2017 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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RAJENDRA CHAUDHARY S/o Puna Chaudhary R/o village- Sihuli, P.S.-  
Rahui, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Ballam Yadav S/o Late Shree Yadav R/o village- Sihuli, P.S.- Rahui,  
District- Nalanda

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rana Baljit Singh  
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      01-08-2019      Heard learned counsel for the petitioner and learned APP for the  
State.

2. The petitioner apprehends his arrest for the offences alleged  
under Section 420 of the Indian Penal Code registered in connection  
with Complaint Case No. 1041(c)/2017.

3. It is submitted that the petitioner has been falsely implicated  
on the accusation of having taken Rs. 3,32,500/- for selling his land to  
the complainant, but thereafter resiling from his promise nor  
refunding the advance money. It is stated that there is no material  
annexed to the complaint to corroborate the accusation of payment of  
Rs. 3,32,500/- to the petitioner. It is further submitted that in any  
event the dispute between the parties is purely of civil nature and in  
respect of which the complainant has also filed Title Suit No.  
198/2018.

4. Learned counsel for the complainant appears and has been  
heard. It is submitted that there is an agreement duly signed by the  
petitioner in presence of witnesses acknowledging receipt of payment



of Rs. 3,32,500/-.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Nalanda at Biharsharif, in connection with Complaint Case No. 1041(c)/2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/-

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