

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32010 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- CHARPOKHARI District- Bhojpur

SIDDHNATH MISHRA Son of Late Ram Dutt Mishra Resident of Village -
Kalyanpur, P.S.- Charpokhri, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-07-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Charpokhri P.S.case No.183 of 2018 dated 3.9.2018, registered for offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

Allegation as per the complaint petition is that the petitioner executed sale-deed with respect of 56.50 decimal of land to some other accused persons, however, later on the complainant claimed that half of the land i.e. 28.25 decimal of land belongs to the complainant that has been sold by the petitioner and as such he has cheated the informant.

Submission of the learned counsel for the petitioner is that the petitioner is aged about 88 years and the case is of the



civil dispute.

On the other hand the learned counsel for the complainant has submitted that with respect to that land, the informant has lodged a suit, which has been decided in his favour and First Appeal and Second Appeal also decided in his favour, but in spite of that petitioner sold the land in the year, 2018.

After some argument, the learned counsel for the petitioner is ready to return the half of the amount to O.P.no.2 if some reasonable time is granted to the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below by 19.8.2019 with a bank draft of Rs.52,000/- in favour of the O.P.no.2 on which he will be released on provisional bail in connection with Charpokhri P.S.Case No.183 of 2018 for a period of four months and during that period, he will return rest of the amount in two equal installments of Rs.50,000/- each by bank draft. Once the total amount is paid, the provisional bail of the petitioner shall be confirmed.



It is made clear that on the petition filed by O.P.no.2, the
the amount shall be released in favour of O.P.no.2.

It is also expected that on payment of the aforesaid
amount, O.P.no.2 shall not pursue the case and file a
compromise case accordingly in this case.

With the above direction, this application is disposed
of.

(Vinod Kumar Sinha, J)

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