

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33574 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

Shiv Narayan Sah, Son of Late Vikash Sah @ Vikau Sah Resident of
Mohalla-Suratganj, Ward No.14, P.S.-Town, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kusam Rani, Advocate,

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Town P.S. Case no. 110 of 2019 (CRI Case No. 429 of
2019), registered under Sections 406 and 420 of the Indian
Penal Code.

The accusation is that informant Niraj Kumar
Upadhyay entered into an agreement to purchase three katha
land of petitioner at the rate of Rs. 15,21,000/- per katha, it was
also incorporated in agreement that sale deed will be executed
by the petitioner on 08.03.2019 on full payment of
consideration amount. While informant paid Rs. 17,35,100/-
and erected the boundry wall around the land, but in spite of



several requests, the petitioner refused to execute the sale deed, when the informant approached the petitioner on 26.02.2019 to execute the sale deed then petitioner abused him.

Learned counsel for the petitioner submits that while petitioner executed the agreement deed in respect to sale three katha land to the informant, but a cheque of Rs. Five Lakhs as given by the informant to the petitioner was dishonoured on presenting the same in the bank and consideration amount was not paid to the petitioner. But the informant lodged the present case on false story. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhubani in connection with Town P.S. Case No. 110 of 2019 (CRI Case No. 429 of 2019), subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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