

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34868 of 2019

Arising Out of PS. Case No.-698 Year-2018 Thana- COMPLAINT CASE District- Supaul

VIKRAM HAJARI @ BIKRAM HAJARI (M), aged about 74 years, son of Late Hari Ballabh Hajari, resident of Ward No.05, Village-Babhangama, P.S.Triveniganj, District-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Mustakim (M) aged about 40 years.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323, 504 and 420 of the Indian Penal Code.

The prosecution case in brief is that an agreement of sale of land was made and complainant paid all considerations money to the petitioner. Petitioner sold the land to the complainant in the year 2014 itself. However, when the complainant went to take possession of the said land, he came to know that the land in question has already been sold to one Md. Ishask on 09.05.2013 by the brother-in-law of petitioner. The complaint has been filed in 2018 after a lapse of four years.



The contention of the petitioner is that the land in question is ancestral property of the petitioner and sold the same as per his share. Actually the dispute is over the area of the land in question which is out and out a civil dispute. Petitioner has got no criminal antecedent.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Supaul/successor Court in connection with Complaint Case No. 698C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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