

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55326 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- LODIPUR District- Bhagalpur

AJAY KUMAR Son of Fuso Mandal Resident of Village- Bishanpur, Jichcho,
P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar Son of Harihar Mandal Resident of Village- Bishanpur,
Jichcho, P.S.- Lodipur, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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

ORAL ORDER

2 02-09-2019 Let the vakalatnama filed on behalf of the
informant/opposite party no.2 be kept on the record.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State as also the learned counsel for the
informant/opposite party no.2.

The petitioner apprehends his arrest in connection
with Lodipur P.S. Case No.92 of 2019 registered under Sections
406, 420, 323, 504, 379 and 506/34 of the Indian Penal Code.

The accusation is that the opposite party no.2
negotiated with the petitioner to purchase 5½ Katha land of the
petitioner at the rate of Rs.1,75,000/- per Katha and the opposite
party no.2 gave Rs.1,95,000/- to the petitioner through cheque



as advance. Thereafter, the opposite party no.2 made requests several times to the petitioner to execute the sale deed in respect of the aforesaid land after taking the remaining amount but the petitioner did not pay any heed on the request of the opposite party no.2 and the petitioner and others also abused the opposite party no.2 .

Learned counsel for the petitioner submits that, admittedly, the petitioner orally entered into agreement with the opposite party no.2 to execute the sale deed in respect of his 5½ land at the rate of Rs.1,75,000/- per Katha but the opposite party no.2 only paid Rs.1,95,000/- to the petitioner and without making the payment of remaining amount, the opposite party no.2 used to put pressure upon the petitioner to execute the sale deed in respect of the aforesaid land. The petitioner is still ready to execute the sale deed in respect of the aforesaid land in favour of the opposite party no.2, if the opposite party no.2 is ready to pay the remaining amount of consideration. The dispute appears to be civil in nature.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Lodipur P.S. Case No.92 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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