

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57756 of 2019**

Arising Out of PS. Case No.-1529 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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MD. SHAHID S/o Md. Rahiman @ Bhola R/o Village- Titra Vishanpur, P.S.-
Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabrun Nisha @ Sabrun Khatoon W/o Md. Kasim R/o vill-Titra Vishunpur,
P.S. Sakra, Dist-Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Manoj
For the Opposite Party/s : Mr.Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 19-11-2019 Heard learned counsel for the petitioner, learned
counsel for the O.P. No.2 and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 406, 504, 506 and 120B of the Indian Penal Code but cognizance has been taken only under Section 420 and 406 of the Indian Penal Code.

Complainant is said to have given Rs.91665/- through bank account and rest Rs. 1,60,000/- in cash total Rs.2,51,665/- to the petitioner in lieu of executing 7 decimals of land in her favour but as the complainant left for Delhi in the meantime petitioner taking Rs.2,52,000/- from her husband



executed said land in her favour of her husband and on demand of money by the complainant, petitioner refused to pay back and extended threatening.

It is submitted by learned counsel for the petitioner that petitioner has executed 7 decimals of land in favour of the husband of the complainant taking money from the complainant as per her consent. He has not taken any money from the husband of the complainant. It is quite improbable that after giving money by the wife she will not disclose the aforesaid fact to her husband and her husband will get the sale deed executed without knowledge of the wife giving sale consideration again to the vendor. Petitioner has no criminal antecedent. Hence, the petitioner may be enlarged on anticipatory bail.

On the other hand learned counsel for the Complainant and learned APP for the State opposing the bail prayer of the petitioner submitted that in spite of taking money petitioner did not execute the land in favour of the complainant.

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 six 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 learned Sub-Judge-XIII-cum-A.C.J.M.-IV(West) Muzaffarpur in connection with Complaint Case No. 1529 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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