

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2176 of 2019

Arising Out of PS. Case No.-292 Year-2018 Thana- BAHERA District- Darbhanga

Firoz Alam Khan S/o Noor Mohammad Residence of Mohalla-Madhopur, P.S.-
Bahera Diss- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Bahera
P.S. Case No. 292 of 2018 registered for the offence punishable
under Sections 341/323/504/506/406/120/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 6.8.2018. He further submits that
the instant case is designed for the purpose of pressuring the
petitioner to execute sale deed. He further submits that F.I.R
itself indicates that the present disputes is of civil nature for
which remedy is available under the Provisions of Specific
Relief Act.

Learned counsel appearing on behalf of the informant



has vehemently opposed the prayer for bail saying that petitioner is indulging in such activities.

Considering the totality of the facts situation the Court is of the view that when remedy in civil format is available refusal of bail after completion of the investigation is not justified. Accordingly, the Court is inclined to enlarge the petitioner on bail, let the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Addl. Chief Judicial Magistrate, Baheara, Darbhanga, in connection with Bahera P.S. Case No. 292 of 2018.

(Anil Kumar Upadhyay, J)

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