

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.64421 of 2019

Arising Out of PS. Case No.-3196 Year-2015 Thana- COMPLAINT CASE District- Araria

AMIT KUMAR BHAGAT @ AMIT KUMAR, aged about 30 years, Male,
Son of Satya Narayan Bhagat, Resident of Village - Forbesganj, Ward No.8,
P.S.- Forbesganj, Dist.- Araria ... Petitioner

Versus

1. THE STATE OF BIHAR
2. Manoj Kumar, aged about 48 years, Male, Son of Ramanand Singh,
Resident of Village - Kali Mandir Chowk, Forbesganj, Ward No.24, P.S.-
Forbesganj, Dist.- Araria ... Opposite Parties

Appearance :

For the Petitioner : Mr. Arun Kumar Mandal, Adv.
For the Opposite Parties : Mr. Ramchandra Sahni, APP

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

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. 3196 C of 2015 registered under Sections 323,
341, 406, 420, 504, 506 and 120B of the Indian Penal Code.

The accusation is that complainant/opposite party no. 2
talked to purchase 12½ land on payment of consideration amount of
Rs.2,80,000/- from Meena Devi, mother of petitioner, deed of
agreement to sale was also executed on 04.03.2015 giving the advance
money of Rs.50,000/-. Again, petitioner took Rs.50,000/- and put his
signature on receipt. Thereafter, complainant/opposite party no. 2
asked Meena Devi to execute the sale deed in the name of his wife,
but, she did not pay any heed saying that her daughter is residing in the
house and after vacating the same the sale deed will be executed.
Meena Devi was also being threatened by Binod Bhagat on asking to
vacate the premises, then, notice under Section 39 of the Criminal



Procedure Code was given from the Court of the Subdivisional Magistrate, Araria, on the application, dated 18.12.2014, but, later on the accused persons refused to execute the sale deed.

Submission is that the land in question, as detailed in complaint case, is in the name of Meena Devi, the mother of the petitioner and the petitioner has been made accused in this case only to put undue pressure. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Complaint Case No. 3196 C of 2015 shall 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 Chief Judicial Magistrate, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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