

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64422 of 2019

Arising Out of PS. Case No.-127 Year-2018 Thana- BAUSI District- Araria

MD. SALAM Son of Ibrahim Resident of Village - Farkia, P.S.- Baunsi,
District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Md. Mustaque Son of Md. Suleman Resident of Village - Farkia, P.S.-
Baunsi, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Roy, Advocate.

For the Opposite Party/s : Mr. Murli Dhar, APP

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

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Baunsi P.S. Case No. 127 of 2018 registered under Sections 420, 406,
384 and 506 of the Indian Penal Code.

The accusation is that petitioner approached the
complainant-opposite party no. 2 to sell the land of his share
measuring 21 decimal of Khesra No. 488, Khata No. 1066 and took
advance of Rs.16,000/- and also gave the possession but the sale
deed was not executed. Thereafter, on the occasion of marriage of
daughter, petitioner again took Rs.3,000/- from the complainant on
assurance to execute the land of his share but after marriage,
petitioner did not take any heed to execute the sale deed in favour of



the complainant. Thereafter, Panchayati was arranged, in which, petitioner demanded Rs.5,00,000/- saying that the price of land has been hiked. As such, petitioner mischieved the complainant-opposite party no.2.

Learned counsel for the petitioner submits that, in fact, petitioner had taken loan of Rs.3,000/- from the complainant-opposite party no.2 on the occasion of marriage of his daughter thereafter, complainant-opposite party no.2 started to give pressure to execute the land of 21 decimal on consideration amount of Rs.16,000/-, in fact, the value of the land of the petitioner is more than Rs.5,00,000/- due to that reason the present case has been lodged with false allegation.

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 Chief Judicial Magistrate, Araria, in connection with Baunsi P.S. Case No. 127 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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