

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67301 of 2019**

Arising Out of PS. Case No.-1929 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

=====

SHIVNANDAN CHAURISIYA @ SHIVNANDAN PRASAD
CHAURISIYA Son of Late Ram Das Prasad Chaurisia Resident of Village-
New Bus Stand, P.S.-Jakkanpur, District-Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dhananjay Kumar Son of Rajendra Prasad Resident of Goriya Toli, P.S.-
Kotwali, District-Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Binod Kumar

=====

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

ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

The petitioner apprehends his arrest in connection
with Complaint Case No.1929 (c) of 2016 registered under
Sections 323, 341, 420 and 504/34 of the Indian Penal Code.

The accusation is that Sunil Kumar and Deepak
Kumar, who used to do the business of purchasing and selling
the land, came in the touch of the opposite party no.2 and they
asked him to purchase the land, situated in Mohalla-Vigrahpur
from the land owner Rajiv Kumar Ranjan. Accordingly, the



opposite party no.2 along with Sunil Kumar and Deepak Kumar approached the land owner Rajeev Kumar Ranjan to purchase the land measuring an area of 704.25 square ft. at the rate of Rs.32,00,000/- per Katha. Accordingly, Sunil Kumar and Deepak Kumar took Rs.4,00,000/- from the opposite party no.2 as advance and got executed the agreement to sale of the land by Rajeev Kumar Ranjan. Later on, Sunil Kumar and Deepak Kumar, both sons of the petitioner, approached the opposite party no.2 and asked him that the said plot is so small, which is not useful for him, and asked him to get managed another plot for him and return the money. Thereafter, they took the original paper of agreement to sale from him and also managed to transfer Rs.1,50,000/- in the account of their father Shivnandan Chaurisiya (petitioner) and took Rs.2,50,000/- from Rajeev Kumar Ranjan. However, Sunil Kumar and Deepak Kumar did not return Rs.4,00,000/- to the opposite party no.2, nor they made any arrangement for purchasing another land. When the opposite party no.2, on 16.06.2016, approached Sunil Kumar and Deepak Kumar, then they became annoyed and started to abuse and cause assault to the opposite party no.2.

Learned counsel for the petitioner submits that the petitioner, being the father of Sunil Kumar and Deepak Kumar



against whom there is allegation to take Rs.4,00,000/- from Rajeev Ranjan Kumar, which was given by the opposite party no.2 to Rajeev Ranjan Kumar as advance for purchasing the land, has falsely been implicated in this case. The petitioner has no criminal antecedent.

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 Additional Chief Judicial Magistrate-12, Patna, in connection with Complaint Case No.1929 (c) of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

