

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69090 of 2018

Arising Out of PS. Case No.-2780 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

-
1. Shabbir Akhtar @ Md. Shabbir Akhtar S/o- Md. Ali Raja.
 2. Sajjad Akhtar, aged about 35 years, S/o- Md. Ali Raja.
Both are Resident of Village- Kawaltoli, Phulwarisharif, P.S.-
Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Pravej Ahmed, S/o- Abdul Manan, R/v- 371, F.C.I., Phulwarisharif, P.S.-
Phulwarisharif, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Sri Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 04-09-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.2780 of 2015 registered for offences punishable under Sections 420 of the Indian Penal Code.

Prosecution case as per the complaint petition is that the complainant has a talk with respect to four kathas of land of Mauza Hasanpur Ranipur and for that the complainant has paid Rs.08 lac and an agreement was also executed, but the petitioners sold the land to some other persons and amount has also not been returned to the complainant.

Submission of the learned counsel for the petitioners is that the complainant is the business partner of the petitioners



and an agreement was made between one Muslim Ansari and others with the complainant and petitioner no.2 for purchase of 10 kathas of land of Mauza Sultanchak for which petitioner no.2 gave Rs.05 lac to Muslim Ansari and others but Kaiyum Ansari and others sold that land to the complainant, which will appear from Annexures 3 and 4 and petitioners are ready to pay rest of the amount.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 who has opposed the prayer for bail on the ground that earlier the matter was referred to the Mediation Centre for coming to any settlement but the petitioner is mixing another transaction, whereas in the present case the petitioner has not returned the amount until now. .

Having heard both sides and in view of the facts and circumstances, as stated above, the intention of the petitioners does not appear to be fair, as such, I am not inclined to grant privilege of anticipatory bail to the petitioners, as such, the petitioners are directed to surrender within a period of two weeks from the date of receipt of the order and pray for regular bail, the same shall be considered by the learned court below on the basis of materials available on record and if the petitioners are ready to return the amount even on some installments, the



same shall also be considered by the learned court below while disposing of their prayer for bail.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

chn/-

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

