

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69755 of 2018

Arising Out of PS. Case No.-591 Year-2007 Thana- COMPLAINT CASE District- Supaul

Sanjay Kumar Sah, Son of Sahadeo Sah, Resident of Village- Solhani, P.S.
Supaul, Distt.-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi, Wife of Pulchha Sah, Resident of Village-Bairiya,P.S. and Distt.-Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Dashrath Mehta, A.P.P.

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

ORAL ORDER

3 21-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 591C of 2007, registered under
Sections 406 and 420 of the Indian Penal Code.

The accusation is that Sahdeo Sah @ Tofa and his
two sons, Ajay Kumar Sah and Sanjay Kumar Sah (petitioner)
after receiving the consideration amount of Rs.55,000/- came at
the office of Sub-Registrar, Supaul for execution of sale deed on
26.06.2006 but after preparing the draft of the sale deed, same
could not be presented before the Registrar due to non
depositing the required registration fee through challan.



Thereafter, on 05.07.2006, complainant, Shanti Devi asked to Sahdeo Sah @ Tofa and his son, Ajay Kr. Sah and Sanjay Kr. Sah (petitioner no. 2) to come at the Registrar office for registration of the sale deed but they did not take any heed. Later on, complainant made request to return the money but the money was not returned and thereafter, complainant sent the legal notice detailing the wrong facts.

Learned counsel for the petitioner submits that while Sahdeo Sah @ Tofa, father of the petitioner was agreed to sale the land in favour of complainant, Shanti Devi and also took consideration amount of Rs.55,000/- but later on, complainant, Shanti Devi, put pressure to execute the sale deed in respect of another land due to that reason, sale deed could not be executed by the father of the petitioner. Thereafter, father of the petitioner sent the legal notice to complainant, Shanti Devi, to get execute the sale deed in respect of the land regarding consideration amount was paid by her.

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 S.D.J.M, Supaul,
in connection with Complaint Case No. 591C of 2007, subject
to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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