

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1659 of 2020

Arising Out of PS. Case No.-540 Year-2018 Thana- KOTWALI District- Patna

MD. KHALID RASHID, Son of Late Yushuf Ali, Managing Director, M/s Amina Construction Private Limited, 102, Jagat Trade Centre, Fraser Road, Kotwali, P.S.- Kotwali, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Priyanka, W/o Sri Satish Kumar, R/o 303, Amarpali Apartment, Bhhotnath Road, P.S. Agamkuan, Distt- Patna-26.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 20-03-2020 Heard learned counsel for the petitioner and State as well as informant.

The petitioner is in custody in connection with Kotwali P.S. Case No. 540 of 2018 for the offence under Sections 406, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he is in custody since 18.11.2019. He further submits that the petitioner has been made accused in this case on account of non-completion of construction project and non-handing over the flat to the informant. He also submits that the petitioner is ready to hand over the possession of the flat to the informant.

Counsel appearing on behalf of the informant submits that the petitioner has not come before this Court with clean



hands and he has not furnished the true pictures in this case, as the stand of the petitioner is that he has already given possession of the flat to the informant, which is factually incorrect, as the flat is not handed over to the informant by the petitioner.

Considering the totality of the facts and circumstances discussed herein above, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 540 of 2018 with the following conditions:

(a) The petitioner will hand over the possession of the flat to the informant, if not already handed over, at the earliest preferably within a period of six months from today.

(b) In addition thereto, the petitioner has to tender his service as a volunteer for a period of three months from the date of his release in the process of combating Corona virus. The petitioner is required to report the Civil Surgeon, Patna on his release so that his services may be utilized by the Civil Surgeon, Patna in the process of combating Corona virus.

(Anil Kumar Upadhyay, J)

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