

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15375 of 2020

Arising Out of PS. Case No.-28 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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NAIMUDDIN Son of Late Shekh Rabbul, Resident of Village - Manmehsi
Bahadurpur, P.S.- Mehshi, Distt - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Izhar Ahmed Son of Late Ainur Rahim, Resident of Village - Bath Tole,
Bathuli, P.S.- Nanpur, Distt - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Complaint
Case No.C-28 of 2019 for the offences allegedly committed by
the petitioner under Section 420 of the Indian Penal Code.

The complainant alleged that the petitioner showed a
piece of land and there was a verbal agreement to purchase the
said land. On such, the complainant paid Rs.4 lacs as advance to
the petitioner but later on it transpired that the land was not
saleable. When the complainant demanded money, the petitioner
is said to have issued a cheque of Rs.50,000/- but the cheque
was not honoured.

Learned counsel for the petitioner submits that no



written agreement was executed between the petitioner and the complainant. The petitioner never received any advance money from the complainant. All allegations are false and concocted.

Having considered the facts and the nature of allegations made against the petitioner and the fact that there is no chit of paper to show that the petitioner received any advance money from the complainant to get the sale deed executed with regard to the aforesaid land, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Pupari at Sitamarhi in connection with Trial No.1957 of 2019 arising out of Complaint Case No.C-28 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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