

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26736 of 2020

Arising Out of PS. Case No.-693 Year-2019 Thana- BIHARSHARIF District- Nalanda

RAVI SHANKAR KUMAR, S/o Mahendra Prasad, Resident of Village-
Paroha, P.S.-Manpur, District- Nalanda, Present Residing at Mohalla- Patel
Nagar, Ramchandrepur, P.S.- Leheri, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mithesh Kumar, S/o Late Kishore Lal, Resident of Village + P.S.-
Deepnagar, District- Nalanda, PH-6200858986

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh, Advocate
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-11-2020 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection
with Bihar P.S. Case No. 693 of 2019 for the offence under
Sections 406/420/34 of the Indian Penal Code.

Allegation against the petitioner is that in breach of
the agreement of sale of land he acted and instead of ensuring
execution of sale deed for 80.275 decimals of land, only 32.77
decimals of land have been registered.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent. He further submits
that as against the consideration money of Two crore and odd
Rs. 1,54,31,000/- was only paid and therefore only 32.77
decimals of land has been transferred by the registered sale deed



and since there was no payment of entire consideration money, the rest land (80.275-32.77 decimals) was not registered. He further submits that the dispute pertains to financial transaction and, as such, the present case is designed exert pressure on the petitioner. He further submits that the informant has remedy, if he has any grievance for non-fulfillment of terms of agreement in civil suit.

Considering the totality of the facts and circumstances of the case, the petitioner named above, in the event of arrest or surrender before the court below within one month from today, 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, Nalanda in connection with Bihar P.S. Case No. 693 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that the petitioner shall not alienate any piece of land without prior permission of the Court where the present criminal case is pending.

(Anil Kumar Upadhyay, J)

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