

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15985 of 2021

Arising Out of PS. Case No.-406 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

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RAJARAM YADAV Son of Late Pano Yadav Resident of Village- Kalyanpur,
P.s.- Bariyarpur, Distt- Munger, presently residing at Morcha Road, Patna
City, P.O.- Begumpur, P.S.- Chowk Patna, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jai Prakash Yadav Son of Late Basudev Yadav Resident of Village-
Gandhipur, P.S.- Bariyarpur, Distt- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 420, 323,
and 504 of the Indian Penal Code.

Allegation against the petitioner along with other
accused persons is said to have given money for the purpose of
purchasing a piece of land, when the complainant asked the
accused persons to execute sale deed then loitering and also
assaulted the complainant.

It has been submitted by learned counsel for the
petitioner that the petitioner is innocent and has falsely been



implicated in this case. The petitioner has got no criminal antecedent. Neither any description of land has been mentioned nor any agreement paper has been shown in this case purposely. He further submits that the petitioner admitted an agreement took place between the parties, on 14.07.2014 (Annexure-4) it was categorically agreed by the Complainant that by 30th April, 2015 he will ensure payment of full consideration amount of Rs.38,0000/ (Thirty eight lakhs) from the date of agreement and will get the land registered from petitioner, failing which earnest money i.e. Rs.3,86,000/- (Three lakhs eighty six thousand) paid by the complainant, shall stand forfeited for refund of which no litigation would be permissible.

Learned APP for the State vehemently opposes the prayer for bail application.

In view of fact that it is total based on civil in nature and aggrieved persons seek remedy by filing civil suit.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is pending/ successor Court, in connection with Complaint Case No. 406 C/2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Kumar Panwar, J)

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