

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28318 of 2022

Arising Out of PS. Case No.-688 Year-2021 Thana- FORBESGANJ District- Araria

Rameshwar Mandal S/O Late Dukhai Mandal R/O Village- Naya Tola
Majhwa, P.S.- Forbesganj, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Prasad Biswas S/o Late Ratan Lal Biswas R/o village- Raniganj Potri
Ward No. 02, P.S.- Forbesganj, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 406, 420, 504 of the Indian Penal Code.

The prosecution case as per F.I.R is that the

petitioner besides being agreed to sell 6 decimals land

with consideration money of Rs. 3 lakhs and besides

receiving part consideration of Rs. 2,50,000/- from the

informant has subsequently refused to either execute the

registered sale deed in favour of the informant or to



return the part consideration money and hence committed cheating with dishonest intention to grab the money and committed breach of trust.

It is submitted by learned counsel for the petitioner that in the background of some land dispute, the present F.I.R has been registered. The petitioner has not promised to execute the land in favour of the informant nor he has received any consideration amount from the informant. The informant has not produced any chit or paper showing receiving of any money by the petitioner. Moreover, for a civil nature of dispute, the petitioner has been prosecuted in a criminal proceeding. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance 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 today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 688 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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