

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39276 of 2021

Arising Out of PS. Case No.-417 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MD. AALE NAVI @ KAFI Son of Late Nurul Hoda Resident of Village -
Usrahi, P.S.- Bisfi (Patauna), District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Gulab Son of Late Nurul Hoda Resident of Village - Usrahi, P.S.- Bisfi
(Patauna), District - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 420, 341, 323 and 504
of the Indian Penal Code.

Prosecution case is that the petitioner took
Rs.1,50,000/- as advance for sale of a piece of land and rest
amount of Rs.30,000/- was to be given at the time of registration
of the land, but neither he executed the sale deed nor returned
the amount to the complainant.

Learned counsel for the petitioner denies the
allegation and submits that in fact complainant had sold a piece
of land for the consideratin amount of Rs.1,80,000/- in the year



2016 and now he is putting pressure on the petitioner to get back the land. Parties are brothers. No cheat of paper has been brought on record by the complainant to show the mode of payment of aforesaid consideration amount to him. Petitioner has got no criminal antecedent.

Considering the nature of allegation, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above 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 Additional Chief Judicial Magistrate II, Benipatti Madhubani in Cr.No. 417 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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