

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30202 of 2020

Arising Out of PS. Case No.-1134 Year-2019 Thana- COMPLAINT CASE District- Araria

Md. Juber Alam @ Md. Jubeair Son of Md. Alauddin Resident of Village-
Maina, Ward No.13, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Shahbuddin Son of Late Shekh Ramjan Ali Resident of Village- Islam
Nagar, Ward No.27, P.S- Araria, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 18-02-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section
406 of the Indian Penal Code.

The prosecution case as per complaint petition



is that the complainant negotiated to the petitioner for purchase of a piece of land and against the total consideration amount of Rs. 3,37,500/- the complainant has paid Rs. 75,000/- through cheque as advance payment to the petitioner. However, after receiving advance payment, neither sale deed was executed in favour of the complainant nor advance money has been returned and when the complainant demanded his money back, he was abused by the petitioner.

It is submitted by learned counsel for the petitioner that in pursuance to the order of this Court, the petitioner has already paid the first installment to the complainant and he is ready to pay rest two installments in the 1st week of March, 2022 and 1st week of April, 2022 respectively.

The learned counsel appearing on behalf of the complainant has accepted this fact that petitioner has already paid the first installment to the complainant.

Considering the aforesaid facts, 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 Judicial Magistrate, 1st Class, Araria Complaint Case No. 1134-C/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The complainant would be at liberty to approach the Court below for cancellation of bail bonds of the petitioner, if the petitioner fails to comply the undertaking given before this Court.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

