

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39327 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- SIKTA District- West Champaran

NAVEEN KUMAR JHA Son of Late Gulab Dutt Jha Resident of Village -
Behri Bankat, Police Station- Sikta, District - West champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard the learned counsel for the petitioner and
learned counsel for the informant.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 420, 406,
504 and 506 of the Indian Penal Code registered in connection
with Sikta P.S.Case No. 12 of 2022.

As per allegation, there was an agreement to sale
between the informant and the petitioner. The petitioner, as per
the terms and conditions of the agreement had to execute the
sale deed in respect of his land in favour of the informant and



the consideration money of Rs. 9,51,000/- was paid to the petitioner, but he neither executed the sale deed nor returned the money even after persistent demand by the informant.

The learned counsel for the petitioner has submitted that the petitioner has been made accused due to election rivalry. It is a case of pure civil nature and the petitioner is in custody since 01.05.2022.

On the other hand, learned counsel for the informant has submitted that though the agreement to sale is unregistered, but the petitioner did not return his money despite persistent demand.

It appears to be a case of civil nature and the ultimate remedy lies in the civil court. The informant may take recourse of civil court of competent jurisdiction for the relief.

In view of aforesaid, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Miss Somya Suman, the learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Sikta P.S.Case No. 12 of 2022, subject to the following conditions:-

1. The petitioner shall cooperate in



the disposal of trial and make available as
and when required by the court.

2. If the petitioner is found
involved in future in the similar type of
offence, the prosecution will have liberty to
file an application before the court below for
cancellation of the bail of the petitioners and
the learned court below will take decision in
accordance with law.

Office shall ensure that all defects are removed by
the petitioners within the stipulated time as provided
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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