

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3589 of 2021

Arising Out of PS. Case No.-851 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

Prakash Bind Son Of Late Mahabir Bind Resident Of Village - Dashrathi,
(Itwa), P.S.-Dharahra, Distt.- Munger.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kumar Kamal Nayan
For the Opposite Party/s :	Mr. Sanjiv Kumar Singh
	Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

10 01-08-2022 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

In view of the order dated 21.07.2022, the learned
counsel for the petitioner has filed a supplementary affidavit
wherein, it has been specifically pleaded at Para-5 that there was
an agreement for sale of 02 katthas of land bearing Mauza
Dashrathi, Thana Dharahra, Touzi 445, Thana No.231, Khata
No.50, Khesra No.41, Mutation No.541 between the parties and
the petitioner is still ready to transfer the above mentioned land
in the name of the second party i.e. Chanda Devi, wife of the
complainant.

The learned counsel for the opposite party no.2
submits that he has absolutely no issues if the petitioner is



willing to execute the sale deed in terms of the agreement, but if bail is granted to the petitioner, then the petitioner may not execute the sale deed on which, the learned counsel for the petitioner submits that when he has stated on affidavit that he will be executing the land then such submission should not have been made.

Considering the submission made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Complaint Case No.851-C of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, in the event, if the sale deed is not executed by the petitioner with respect to the land as stated above in the supplementary affidavit despite the informant being willing, the informant will have the liberty to move before this Court for cancellation of bail of the petitioner. The learned counsel for the



petitioner submits that the sale deed would be executed within a
period of two months from today.

(Satyavrat Verma, J)

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