

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11588 of 2023

Arising Out of PS. Case No.-1053 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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SANTOSH SAH S/O LATE BINDESHWAR SAH Resident of Village-
Behta, P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. ARUN SAH S/O RAM ADHIN SAH Resident of Village- Behta, P.S.-
Benipatti, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-04-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a complaint case punishable for the offences under Sections 341, 323, 420 of the Indian Penal Code.

Brief fact, of the case, is that an agreement was entered between the complainant and petitioner for selling the land of the petitioner at the cost of Rs. 19 lacs and in terms of the agreement, this petitioner is alleged to have received 13 lacs . As per agreement in the 2016, the complainant paid Rs. 3 lacs to the petitioner and remaining amount was to be paid at the time of registration, but later on, the petitioner refused to register the land in favour of the complainant. It is further alleged that on 09.02.2018, a pachayati was held, in which, firstly, petitioner refused to registered the land in favour of



complainant and thereafter, assaulted and snatched Rs. 5,000/- cash from him.

It is submitted on behalf of petitioner that the present case is out-and-out false and concocted case. The complainant has not disclosed the manner, in which, huge amount was paid to the petitioner, whether it was paid in cash or through cheque / draft or transferred in his (petitioner) account. Dispute is of civil nature. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned J.M. 1st Class, Madhubani in connection with C.R. No. 1053 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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