

Arising Out of PS. Case No.-58 Year-2020 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

... .. Petitioner/s

1. The State of Bihar
2. AMARDEEP KUMAR S/o Sri Kamlesh Kumar R/O Village-Madhepura, Ward No.-2, P.S. and District-Madhepura

... .. Opposite Party/s

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

10 20-09-2023 Heard learned counsel for the petitioner and the
State.

3. It is alleged that this petitioner entered to an agreement to sale a piece of land but despite receiving consideration money in advance they did not execute the land in favour of the complainant.

4. It is submitted on behalf of the petitioner that there is no chit of paper on record to support the prosecution. The dispute in question is of civil nature . Mere breach of contract does not



give rise to criminal prosecution for cheating unless a fraudulent or dishonest intention was present right from the beginning of transaction. The present complaint case has been lodged only with a view to pressurize and harass the petitioner to settle the civil dispute. Petitioner claims clean antecedent.

5. Learned counsel for the opposite parties opposes the bail petition .

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named 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 the learned Judicial Magistrate, I Class, Madhepura in connection with Complaint Case No. 58 of 2020 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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