

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63496 of 2018

Arising Out of PS. Case No.-385 Year-2014 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

Leelam Devi, Wife of Raman Jha, Resident of Village Jalawar, P.S.- Simari,
District- Darbhanga.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Raj Kumar Choudhary, Son of Upendra Narayan Choudhary, Resident of
Village Mirzapur, P.S.- Biraul, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Sri Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

25 06-11-2023 The opposite party No. 2 was granted anticipatory
bail by an order dated 26.09.2016 passed in Cr. Misc. No. 7904
of 2016, in view of the stand taken on behalf of the opposite
party No. 2 that he shall execute the sale deed within a period of
one week from the date he receives payment of an amount of
rupees three lakh from the petitioner in the present case.

2. It is noteworthy that the complainant (the
petitioner) has alleged that the opposite party no. 2 has taken
certain amount as consideration money from the complainant
for transferring of a piece of land in favour of the complainant.
She alleged that after having received the amount, the opposite
party No. 2 refused to execute the sale deed in favour of the
complainant. The order of this Court dated 26.09.2016 speaks
for itself.

3. This application has been filed for cancellation of



bail granted to opposite party No. 2 on the strength of order dated 29.06.2016 mainly on the ground that the opposite party No. 2 has not honoured the undertaking given to this Court for execution of the sale deed.

4. The Court has been informed that the petitioner, i.e., complainant has deposited a cheque worth rupees three lakh in the Court below for being handed over to opposite party No. 2.

5. Learned counsel appearing on behalf of the opposite party No. 2 has submitted that the opposite party No. 2 has taken steps for execution of the registered sale deed inasmuch as an application has been filed before the Bihar State Housing Board seeking permission to execute the sale deed and certain amount has also been deposited for the said purpose.

6. After having considered the submissions advanced on behalf of the parties, in my opinion, no case is made out for cancellation of bail.

7. This application is accordingly disposed of with an observation that it is expected that the parties shall adhere to the undertaking and the assurance given to this Court.

(Chakradhari Sharan Singh, J)

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