

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48519 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- MUFFASIL District- West Champaran

Surat Sah @ Ram Surat Sah Son Of Late Bangali Sah Resident Of Village
Hirapakar Chiraiya Tola Police Station Manuapul District West Champaran
... .. Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 22-08-2023 Heard learned counsel for the petitioner and the State.
2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420/34 of the Indian Penal Code.
3. As per the prosecution case, this petitioner did not execute the sale deed in favour of the complainant even after receiving consideration money in advance.
4. Learned counsel appearing for the petitioner denies the allegation and submits that the dispute is essentially of civil nature. There is no proof of financial transaction between the parties and at best, it is a case of breach of agreement and no offence of criminal breach of trust is made out against the petitioner. Petitioner claims clean antecedent.
5. Learned counsel for the State as well as the informant oppose the prayer for bail.



6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned 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 Chief Judicial Magistrate, Bettiah, West Champaran in Bettiah Mufassil /Manuapul Police Station Case No. 271 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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