

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69088 of 2022**

Arising Out of PS. Case No.-606 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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HASIB SON OF LATE NASIMUDDIN R/O VILL.- NAURANGA, P.S.-
AZAMNAGAR, OP- SALMARI, DISTT.- KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. KASIM SON OF LATE NASIMUDDIN R/O VILL.- NAURANGA, P.S.-
AZAMNAGAR, OP- SALMARI, DISTT.- KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajendra Prasad Sah Mr. Akhouri Kamal Kishore Sahay, Advocate
For the Opposite Party/s	:	Mr.Pranav Kumar, Addl. Public Prosecutor
For the Complainant	:	Md. Musowar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 01-05-2023 Heard learned counsel for the petitioner, State and

complainant.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 420 of the Indian Penal
Code.

As per the prosecution case, petitioner has taken Rs.
5,00,000/-, as advance, for sale of a piece of land to the
complainant, however he refused to execute the sale-deed of the
land in favour of the complainant/O.P.2.

Learned counsel for the petitioner submits that the
petitioner is ready to refund 50 per cent of the alleged amount



i.e. Rs. 2,50,000/- in installments. He further submits that petitioner will deposit Rs. 1,16,250/- (one lakh sixteen thousand two hundred fifty) at the time of furnishing bail-bond and rest of the amount shall be deposited in the Court below within 8 months in four installments.

In that view of the matter, 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 JM, 1st Class, Katihar in connection with C.A. Case No 606 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, with further following conditions:

“(i) Petitioner shall deposit Rs. 1,16,250/- at the time of furnishing bail bond.

(ii) Rest amount i.e. Rs. 1,33,750/- shall be deposited by the petitioner within 8 months in 4 equal installments. The amounts, so deposited, shall be subject to final result of the case.

(iii) If the petitioner fails to deposit the aforesaid amount within the stipulated time, the Court below shall be at liberty to cancel the bail bond of the petitioner.”

(Prabhat Kumar Singh, J)

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