

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14355 of 2024

Arising Out of PS. Case No.-834 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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MD. SHAHBAZUL HODA @ MD. SAHBAZUL HUDA SON OF MD. SADRUL HODA RESIDENT OF VILLAGE- ANSAR NAGAR, PS- NAWADA, DISTT- NAWADA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHAHNEELA KHATOON WIFE OF MD. DILSHAD AHMAD RESIDENT OF VILLAGE- JAMHARIYA, PS- DHAMAUL, DIST- NAWADA, RESIDENT OF VILLAGE- ANSAR NAGAR, PS- NAWADA, DISTT- NAWADA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate.
For the Opposite Party/s : Mr.Madhura Nand Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Sanjay Kumar Sinha, learned counsel appearing on behalf of the petitioner and Mr. Madhura Nand Jha, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Complaint Case No. 834 of 2022 registered for the offence punishable under Sections 420, 468 and 354B of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioner had executed an agreement to sell certain land mentioned in the agreement for which the complainant had paid a sum of Rs.9,37,500/- but the petitioner refused to register the



land in the name of the complainant.

4. Learned counsel appearing on behalf of the petitioner submitted that no case under Section 420 IPC is made out. The informant instead of filing suit for specific performance of contract, just to pressurize the petitioner, has implicated him in a false case. Petitioner is ready to return the entire amount which has been received by him from the complainant within a period of four months.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail **provisionally for four months**, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in connection with Complaint Case No. 834 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. Once the petitioner furnishes the receipt with respect to crediting entire amount to the complainant within the aforesaid period or before expiry of four months, the provisional



bail granted to the petitioner shall be made absolute on such terms and conditions as the District Court deems it fit and proper.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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