

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33851 of 2023

Arising Out of PS. Case No.-361 Year-2022 Thana- COMPLAINT CASE District- Araria

Navin Jha Son Of Late Khelanand Jha Village -Mandal Tola Matiyari Ward
No 01 P S- Forbesganj Distt- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rehana Khatoon Wife Of Md. Sueb @ Saheb Alam Resident Of Ali Tola,
Ward No. 22, Ps- Forbesganj, Distt- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-02-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Allegation against the petitioner is that after receiving the consideration money for registration of the piece of land he has not executed the sale deed in favor of the complainant.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. No such occurrence as alleged ever took place. He further submits that petitioner is ready to return Rs. 1,20,000/- to the complainant and complainant is ready to accept the said



amount without any objection. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the O.P. No.2 opposed the prayer for bail.

6. Petitioner is directed to return Rs. 1,20,000/- to the complainant within a period of six months.

7. Having regard to the facts and circumstances of the case, petitioner is ready to return the said amount to the complainant, let the above named petitioner, be released on **provisional bail** for six months, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 361C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. Provisional bail shall confirm after seeing this fact that petitioner has returned the said amount to the complainant.

(Anjani Kumar Sharan, J)

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