

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9724 of 2024

Arising Out of PS. Case No.-151 Year-2022 Thana- COMPLAINT CASE District- Supaul

SHRI PRASAD YADAV SON OF LATE MOJILAL YADAV R/O
VILLAGE- MURLI, P.S.- BHAPTIYAH, DIST.- SUPAUL

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VINOD YADAV SON OF LATE DEV NARAYAN YADAV @ DEBU
YADAV R/O VILLAGE- MURLI, TOLA- MILKI, WARD NO. 3, P.S.-
KISHANPUR, DIST.- SUPAUL

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Complaint Case No. 151(C)/2022 registered under Sections
420, 323, 504, 506, 34 of the I.P.C.

3. As per the prosecution story, the complainant has
filed this case against the accused persons including the
petitioner alleging that the complainant has purchased 13 Katha
of land out of which registry of 10 Katha has already been done.
But for the rest land, the accused persons are not ready to
execute the sale deed in favour of that land due to which the
entire dispute has taken place.



4. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 11.10.2023 having one criminal case in which he has been acquitted. Counsel submits that from the content of F.I.R., it is crystal clear that that dispute going on between the parties are squarely covered in the provision of Specific Relief Act and remedy is already available to the complainant to file suit for specific performance of contract. But instead of that Opposite Party No. 2 with the help of lawyer has filed criminal case to create pressure. He also submits that complainant is aged about 49 years whereas accused persons are of 62 and 65 years.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that crime has been committed by the accused persons and complainant has unnecessarily being harassed. Direction may be given to the petitioner to execute sale deed in favour of the complainant.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/-



(Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sapaul in connection with Complaint Case No. 151(C)/2022 subject to the conditions laid down under Section 437 (3) of the Cr.P.C.

(Dr. Anshuman, J)

Sunnykr/-

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