

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33143 of 2015**

Arising Out of PS.Case No. -125 Year- 2014 Thana -RAMGARHWA District-  
EASTCHAMPARAN(MOTIHARI)

=====

Bhola Sah S/o Motilal Sah Resident of village - Dhanhar, Dehuli, P.S.  
Ramgarhwa, District - East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA**  
**ORAL ORDER**

7      11-12-2015                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State as also learned counsel for the informant.

The petitioner prays for anticipatory bail in a case  
registered under Sections 420, 406, 407 and 120 (B) of the Indian  
Penal Code.

Learned counsel for the petitioner submits that even  
from the statements made in the first information report, it is  
admitted that an amount of Rs.11,35,000/- which was stated to be  
the price of the land, which was to be purchased by the informant  
from Panna Lal Prasad, had been actually paid to the said Panna  
Lal Prasad and it is further admitted in the first information report  
that the possession of the land was also given to the informant and  
all that remains is that the informant has subsequently not made  
the registry of the land and an allegation is made that the vendor  
had subsequently stated that if the petitioner will say so, then he

would register the land.

It is further submitted by learned counsel for the petitioner that the petitioner was a teacher in the M.K. Mission residential school of which the informant was the founder Director and a huge amount of salary of about Rs.3,00,000/- was due to be paid to the petitioner and despite several remainders, the same having not been done, the petitioner was compelled to file a complaint case, being Complaint Case No. C-171 of 2014, against the informant and his son on 03.07.2014 and it was only as a counter blast to the said complaint case that the present first information report was lodged making false allegations which do not make out any offence under the aforesaid sections. It is also submitted that it is purely a case of civil nature which is sought to be given the shape of a criminal case to put pressure on the petitioner.

Learned counsel for the informant, on the other hand, submits that on mere technicalities, the petitioner should not be allowed the benefit of anticipatory bail as the only reason for the document not being got registered with the informant is that the petitioner is not telling the vendor to get it registered as per the statement of the vendor himself.

On a consideration of the facts and circumstances of the

case, it is directed that the petitioner, Bhola Sah, in the event of his arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each in connection with Ramgarhwa P.S. Case No. 125 of 2014 to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Ramesh Kumar Datta, J)**

V.P.Sinha/-

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