

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38538 of 2015

Arising Out of PS.Case No. -194 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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Navin Kumar Son of Late Birendra Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420/467/468/120B of the Indian Penal Code.

The prosecution case is that as per written report submitted by I/c President of Saran Zila congress Committee, chapra to the effect that co-accused Manoj Kumar Singh Bhardwaj, who was the Ex-President of Saran Zila Congress Committee, Chapra executed a registered lease deed on 27.09.2014 in respect of holding No.58, circle No.17, ward No.23, area 13 kattas situated in Mohalla- Sadhnapuri, P.S.-Chapra Town, District Saran in favour of petitioner whereunder the petitioner was supposed to pay Rs.1,61,000/- *per annum* as rent to the Saran Zila Congress Committee. Co-accused Manoj Kumar Singh Bhardwaj, Ex-District President Congress also withdrew rented amount from Punjab National Bank, Hathua Market Branch,

Chapra. It is specifically alleged that co-accused Manoj Kumar Singh Bhardwaj had no right, power and authority to execute the lease deed in favour of the petitioner.

It is submitted by learned counsel for the petitioner that it is not in dispute that the Ex-President of Saran Zila Congress Committee, Chapra executed the registered lease deed. The registered lease deed has not been cancelled by the competent court till date. It is further submitted that co-accused Manoj Kumar Singh Bhardwaj, who executed the lease deed has been granted anticipatory bail vide Criminal Miscellaneous No. 38911 of 2015. Moreover, statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra in connection with Chapra Town P.S. Case No.194 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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