

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47289 of 2014

Arising Out of PS.Case No. -333 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Santlal Rai Son of Late Bihari Rai Resident of Village - Jamharua, P.S.
Maniyari, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioner and Mr.
Pranav Kumar, learned A.P.P. for the State.

The petitioner apprehends arrest in connection
with Sakra P.S. Case No. 333 of 2014 dated 20.07.2014
instituted under Sections 467/468/471/420/120B of the
Indian Penal Code.

Learned counsel for the petitioner submits that
as per the allegation instead of four and a half dhurs of land
which the informant intended to sell, on the sale document it
has been mentioned 4.111 decimals and thus it is alleged that
fraud has been committed. Learned counsel submits that
besides having no criminal antecedent, the criminal case is an
abuse of the process of the Court since it is presumed in law
that the vendor has admitted the sale before the Sub Registrar
and further that when a document is created having legal

sanctity, there is a remedy in law of getting the same cancelled or annulled by moving before the competent Civil Court having jurisdiction in the matter.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Chief Judicial Magistrate, Muzaffarpur in Sakra P.S. Case No. 333 of 2014, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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