

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16702 of 2015

Arising Out of PS.Case No. -305 Year- 2013 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Brijnandan Prasad @ Doman Yadav son of Babulal Yadav Resident of
Village- Naurhu Tola, Baijnath Bigha, Police Station & District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kamal Kishore Sharma S/o Late Kuldip Singh R/o Village and post
Siyarampur, P.s- Paliganj, district- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar
For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Complaint
Case No. 305/2013 for the offence punishable under section 420
of the Indian Penal Code.

The prosecution case , as per the complaint, is that the
petitioner cheated the complainant by selling the quantum of land,
which he was not authorized to sell.

It has been submitted on behalf of the petitioner that
the very bare perusal of the complaint petition would appear that
the entire allegation relates to civil dispute and it cannot be
decided in a criminal prosecution, but with all fairness it has been

submitted that the petitioner is ready to deposit the amount of Rs.5,00000/-(five lakhs) within three months in the court below, which may be released in favour of the complainant.

On behalf of the State it has been conceded that if the petitioner deposits the aforesaid amount in the court below, he may be released on bail. Further, on behalf of the State it has been submitted that the petitioner is named in the complaint petition.

Considering the facts and circumstances of the case, let the petitioner Brijnandan Prasad @ Doman Yadav be released on **provisional bail** for a period of three months on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Jehanabad, in connection with Complaint Case No. 305/2013/Tr. No. 3629/2014, subject to condition that the provisional bail shall be confirmed only after the petitioner deposits Rs.5,00000/-(five lakhs) in the court below, which shall be released in favour of the complainant.

(Sudhir Singh, J)

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