

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7666 of 2015

Arising Out of PS.Case No. -82 Year- 2014 Thana -SC/ST District- PURNIA

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Arjun Kumar Sinha, S/o Late Haldhar Prasad Sinha, resident of mohalla-
Ram Nagar Maranga, P.S.- Khajanchi Hat, District- Purnea, at present
Teachers Colony, near Arbiya College, P.S.- Sahayak Khajanchi Hat,
District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-02-2015 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 406, 467, 468, 471, 452, 323, 380, 354, 506, 504 of the Indian Penal Code and 3(I) (IV) (V) (X) of the S.C./S.T. (Prevention of Atrocities) Act.

It is alleged that the petitioner executed two sale-deeds in favour of the informant on 26.04.2007 and 17.07.2007. Subsequently the informant found that high tension electric wires were running over the land hence construction of building was not possible, on request being made the petitioner assured that he will transfer another land to the informant but did not do so.

It is submitted by the learned counsel for the

petitioner that earlier also a similar case was lodged in which the petitioner has been granted bail. It is further submitted that pursuant to the execution of the sale deed the land has already mutated in the name of the informant.

Learned counsel for the informant submits that at present the petitioner is only interested in getting possession of the land for which the two sale deeds have already been executed by the petitioner.

Considering the nature of accusation in the background of bona fide land dispute between the parties, let the above named petitioner be released on provisional anticipatory bail for six month in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with S.C./S.T. P.S. Case No. 82 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The petitioner will file an appropriate application before the Circle Officer, Purnia Sadar that he will not claim either possession or title of the land for which he has already executed two sale deeds in favour of the informant. Similar application will be filed before the learned court below. On filing of such applications the provisional bail of the petitioner will be confirmed by the learned court below. The violation of

undertaking made in the application will give liberty to the learned court below to cancel the bail bond of the petitioner.



(Dinesh Kumar Singh, J)