

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14104 of 2015

Arising Out of PS.Case No. -211 Year- 2014 Thana -SHRIKRISHNAPURI District- PATNA

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Binod Kumar Singh @ B.k. Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 188, 290, 447, 504 and 506 of the Indian Penal Code and Section 3 (V) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the informant is the exclusive owner of the land by virtue of the sale deed dated 21.05.1993 registered on 01.06.1993. The possession of the land was given to the informant in pursuance to the order passed in execution proceeding, subsequently, one Asha Devi along with her mother claimed the land by filing misc. application. The matter travelled up to the Apex Court and the Apex Court confirmed the sale deed dated 21.05.1993. The informant entered into an agreement for sale of the said land with the petitioner on 30.06.2007 but since the petitioner failed to fulfill the terms of the agreement, hence the agreement got terminated on 20.08.2009 but thereafter, the

petitioner was not allowing the informant to enjoy the peaceful possession of the land in question and consequently, the informant was humiliated by abusing.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of the dispute with regard to transfer of the land as the existence of agreement to sale the land in question between the petitioner and the informant is admitted by the informant herself. It is further submitted that for the occurrence of 20.08.2009, FIR was lodged on 25.06.2014 which reached to the learned court below on 30.06.2014 which reflects the antedating of the FIR.

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 J.M., 1st Class, Patna in connection with S.K. Puri P.S. Case No. 211 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

(Dinesh Kumar Singh, J)

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