

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23955 of 2015

Arising Out of PS.Case No. -702 Year- 2014 Thana -SHASTRINAGAR District- PATNA

1. Kamleshwar Prasad Singh S/o Late Rajanal Singh Resident of Patel Nagar, Gokul Path, Road No. 12, P.S. Shashtri Nagar, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and sections 3(1)(v)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the informant paid Rs.6,01,000/- to the petitioner for executing sale deed in respect to a land bearing Khata No. 137 and 155, Survey Plot No. 1176 and 1177 for an area of six kathas when the informant went to make request for executing the sale deed then he was abused by calling the caste name.

It is submitted by the learned counsel for the petitioner that there is nothing on record to suggest that the payment was

made to the petitioner and FIR does not reflect the date of payment as a result the formal part of the FIR does not reflect the date of occurrence. It is further submitted that the case was registered on 24.11.2014 which reached to the learned CJM on 26.11.2014 which suggests that the FIR has been registered by antedating. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation in the background of civil nature of dispute, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Patna in connection with Shastrinagar P.S. Case No. 702 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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