

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14177 of 2016

Arising Out of PS.Case No. -353 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Yogendra Sah Son of Late Harilal Sah resident of Village - Biratpur, P.S.
Sonabarsa Raj District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar.
2. Kapildev Gupta Son of Prem Sah Resident of Village - Sileth P.S. Sour
Bazar, District - Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate.

For the Opposite Parties : Mr. Md. Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-07-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.
353 C of 2014 registered for the offences punishable under Sections
420, 406 and 120(B) of the Indian Penal Code.

The petitioner happens to be the relations of the
complainant persuaded the complainant to purchase a piece of land for
which Sawan Kumar @ Sawan Kumar Singh @ Mikku Singh had
prepared a deed of agreement to sale.

It is submitted that Sawan Kumar @ Sawan Kumar Singh @
Mikku Singh received Rs. 50,000/- for that he issued receipts of money.
The petitioner and Sawan Kumar @ Sawan Kumar Singh @ Mikku
Singh also received money from the complainant. It is further submitted
that Sawan Kumar @ Sawan Kumar Singh @ Mikku Singh has already

been granted anticipatory bail vide order passed in Cr. Misc. No. 30750 of 2015 on 11.08.2015 and the case of the petitioner stands on better footing as the petitioner has not issued any receipts of money. There is no chit or paper to show that the petitioner ever received any money.

On the other hand Shri Shiv Shankar Sharma, learned counsel for the informant as well as the learned APP vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts aforesaid and the fact that case of the petitioner stands on better footing as that of co-accused Sawan Kumar @ Sawan Kumar Singh @ Mikku Singh who has already been granted anticipatory bail, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in Complaint Case No. 353 C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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