

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26297 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

Umesh Kumar, son of Late Sahraj Sharma, resident of village- Belarhi,
P.S. Daudnagar, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Mistry, Advocate

For the State : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioner and the
State.

Petitioner apprehends his arrest in a case filed
under Section 420, 467, 468 and 120(B) of the Indian Penal Code.

As per the allegation set out in the first information
report, the cousin of the petitioner, namely, Ashok Kumar Gupta
has executed a sale deed for 3 ¼ decimals of plot no.818
appertaining to khata no.295 in favour of the petitioner as well as
another co-accused, namely, Rajendra Prasad. The accused no.3,
Dharamdeo Prasad stood as a witness to the sale deed. It is
contended on behalf of the petitioner that allegation is that the
informant entered into a compromise with cousin of the petitioner
but the petitioner threatened the informant to execute a sale deed.

It is also contended that informant has filed title suit no.220 of 2015 for cancellation of sale deed executed in favour of the petitioner and co-accused Rajendra Prasad. Learned counsel further submits that co-accused, Rajendra Prasad, has already been granted anticipatory bail by a co-ordinate Bench of this Court vide Annexure 2. It is also urged that surprisingly the alleged vendor has not been made an accused and the witnesses to the sale deed have been made accused.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Daudnagar P.S. case no.33 of 2016, the above named petitioner, Umesh Kumar shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

U		T	
---	--	---	--