

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48989 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -NAWADA District- NAWADA

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Md. Abbas, son of Wali Mohammad, resident of village- Farha, P.S. Akbarpur in the district of Nawada, at present resident of Mohalla- Moglakhar, P.S. Bundelkhand, District- Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

Mr. Krishnadeo Raj, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 07-12-2016 Heard Sri Raj Kumar, learned counsel for the petitioner, learned Addl. Public Prosecutor and Sri Krishnadeo Raj, learned counsel, who has voluntarily appeared on behalf of the informant.

The sole petitioner, apprehending his arrest in Nawada(Bundelkhand) P.S. Case No.70/2016 registered for the offence under Sections 419, 420, 467, 468, 471, 120(B) of the Indian Penal Code, has prayed for grant of anticipatory bail.

By way of referring to the F.I.R., learned counsel for the petitioner submits that in a civil dispute, colour of criminal offence has been given and the petitioner has been made accused.

Learned counsel for the informant, opposing the prayer for anticipatory bail of the petitioner, submits that huge



amount was taken by the petitioner for transferring the land. However, the informant was cheated and total amount to the tune of Rs.27 Lacs has been taken by the petitioner by committing fraud.

Besides hearing learned counsel for the parties, I have also perused the materials on record, particularly the F.I.R. On perusal of the F.I.R., it is evident that there is dispute in between the petitioner and the informant in relation to transfer of land, for which an agreement to sale was executed.

In view of nature of accusation, it is a fit case for grant of anticipatory bail. Accordingly, let the petitioner, namely, Md. Abbas, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada(Bundelkhand) P.S. Case No.70/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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