

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43217 of 2016

Arising Out of PS.Case No. -703 Year- 2013 Thana -PATNA COMPLAINT CASE District- PATNA

Satya Prakash Gupta son of Late Gopal Prasad resident of Mohalla-
Choudhrana Road, P.O. & P.S.- Danapur, Patna- 801503 Petitioner/s
Versus

1. The State of Bihar.

2. Ajit Kumar S/o Birju Lal Sah, resident of Gola Road, Near Vishal Mega
Mart, Danapur, P.O. & P.S.- Danapur, District- Patna. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Sri Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 28-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Complain Case No. 703(C) of 2013, disclosing offences under
Sections 323, 420 and 504 of the Indian Penal Code.

It is alleged in the complaint case that the complainant
had purchased a piece of land on allotment by one Adarsh Sahkari
Grih Nirman Samiti Ltd. through its Secretary Gopal Prasad,
Allegedly, the persons who have been named as accused in the
complaint petition, illegally formed a Managing Committee of the
said society and transferred the land, which was allotted to the
complainant, to some other person.

Learned counsel appearing on behalf of the petitioner
has submitted that the dispute is purely civil in nature. He has also
submitted that the said sale deed executed in favour of the
complainant through Gopal Prasad has been cancelled by court of

competent jurisdiction. He has also submitted that the petitioner shall present himself before the court as and when required if granted privilege of anticipatory bail.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri Randhir Kumar, learned Judicial Magistrate 1st Class, Danapur in connection with Complain Case No. 703(C) of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-c

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