

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49553 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -ARIYARI District- SEKHPURA

=====

1. Sunil Yadav S/o Bhuneshwar Yadav, Resident of Village- Kariho, P.S.-
Sheikhpura, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Kumar

For the Opposite Party/s : Mr. Sri Parmanand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 19-12-2016 Heard the Counsel for the petitioner and Mr. Prasad, APP
for the State.

The petitioner prays for grant of anticipatory bail in Ariari
P.S. Case No. 53 of 2016 registered under sections 341, 323, 420,
504, ,462, 120(B)/34 of the Indian Penal Code.

Initially, a complaint was lodged which was later treated as
an F.I.R.. It is alleged that in the year 2011, the father of the
petitioner (co-accused Bhuneshwar Yadav) sold a piece of land
and possession was given after the sale. In 2015, when he made an
application for mutation, it was revealed that instead of plot no.
236 in the sale deed, 237 was written, although the boundary was
the same and also the fact that the purchaser continued in
possession thereof. Learned counsel submits that it is the only
mistake/error which can be corrected but the criminal liability in



such matter would not arise. It is predominantly a civil dispute.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory 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, Sheikhpura in Ariari P.S. Case No. 53 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

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

