

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47450 of 2015

Arising Out of PS.Case No. -97 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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Jai Prakash Kumar, Son of Vijay Kumar Yadav, Resident of Village-
Sarbahada, Police Station- Khizarsarai, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Satyendra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 29-01-2016 Heard Sri Anil Kumar Roy, learned counsel for the

petitioner, Sri Satyendra Prasad, learned A.P.P. as well as Sri

Atul Kumar Pandey, learned counsel who has voluntarily

appeared on behalf of the informant.

The petitioner apprehends his arrest in connection with

Rajgir P.S. Case No. 97 of 2015, registered for the offence under

Section 406, 120(B) of the Indian Penal Code has prayed for grant

of anticipatory bail.

It was submitted by learned counsel for the petitioner

that in a dispute of civil nature colour of criminal offence has been

given. He submits that agreement was entered in between the

parties regarding registration of the land for which about 43 lakhs

was paid by the informant. However, after taking money it has

been alleged that petitioner is not taking any step for executing the sale deed.

Sri Pandey, learned counsel for the informant has vehemently opposed the prayer of the petitioner and submits that on the basis of F.I.R. itself it appears that intention of the petitioner was to grab money of the informant.

Be that as it may, on perusal of the F.I.R. it appears that a dispute of civil nature has been given colour of criminal offence.

In view of the facts and circumstances the court considers the present case as a fit case for extending the privilege of anticipatory bail.

Accordingly in the event of arrest or surrender within a period of six weeks from today let the petitioner Jai Prakash Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/-(rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Rajgir P.S. Case No. 97 of 2015 subject to the conditions as contemplated under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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