

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1564 of 2016

Arising Out of PS.Case No. -54 Year- 2015 Thana -RUPAULI District- PURNIA

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Gurudeo Mandal, son of Sidheshwar Mandal, Resident of village- Rampur
Parihat Dumaria Tola (In the F.I.R. village has been written as Dumaria)
P.S.- Rupauli, District Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 16-02-2016 Heard Sri Sunil Kumar Singh, learned counsel for the

petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Rupauli P.S. Case no. 54/2015 (G.R.
No.1081/2015) registered for the offence under Sections 420, 467,
468 and 120B of the Indian Penal Code, has prayed for grant of
anticipatory bail.

It was submitted by learned counsel for the petitioner
that although in F.I.R., the informant has alleged that the petitioner
had gifted the land of the informant to his wife, but fact remains
that earlier the informant had transferred the land in question
through sale deed in favour of the petitioner. This fact has been
stated in paragraph-6 of the main petition. It has further been

argued that though the informant has filed criminal case, he has not filed any suit for declaring the deed of gift as void and no civil action has been taken. In sum and substance, it has been argued that in a case of civil nature , a colour of criminal offence has been given by the informant. He further submits that the investigation is still continuing.

In view of facts and circumstances, let the petitioner, namely, Gurudeo Mandal , 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 Shri P.K.Bharti, learned Judicial Magistrate, 1st Class, Purnea in connection with Rupauli P.S. Case no.54/2015 subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure with condition that if subsequently during investigation, the case is found true against the petitioner and police submits chargesheet, his bail bond shall stand automatically cancelled. Thereafter, the petitioner will have to appear before the court below and pray for regular bail.

(Rakesh Kumar, J)

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