

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48586 of 2016

Arising Out of PS.Case No. -387 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

=====

Nikhil Dahlan @ Nikhil Kumar Dahlan , son of Shyam Sundar Dahlan,
resident of mohalla Dahlan Chowk, Ward No. 20, P.S. + District Saharsa
..... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Sapna Sinha wife of Sri Keshav Kumar Sinha, resident of
Mohalla – Kayasth Tola, Ward No. 28, Saharsa, P.S. + District
Saharsa

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 01-12-2016 Heard Sri Pramod Mishra, learned counsel for the

petitioner and Sri Shailendra Kumar Singh , learned Additional

Public Prosecutor.

The sole petitioner who apprehends his arrest in
Complaint Case No. 387C of 2014 in which cognizance order has
been passed under Section 420, 467, 468, 471, 120B of the Indian
Penal Code has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that initially
the complainant had filed an F.I.R. vide Saharsa P.S. Case No. 28
of 2013 against the petitioner and other accused persons on an
allegation that the petitioner by conspiring with other accused
persons fraudulently purchased the land of the informant.



However during investigation accusation was found un-true and final report was submitted and the petitioner and other accused were exonerated. Thereafter protest petition filed by the informant was treated as complaint petition and after enquiry order of cognizance has been passed.

Keeping in view the fact that at first instance statutory investigating agency had found the case un-true and case has proceeded on the basis of protest - cum –complaint petition and petitioner is also having clean antecedent which has been mentioned in paragraph no. 3 of the petition the court is of the opinion that it is 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 Nikhil Dahlan @ Nikhil Kumar Dahlan 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 Judicial Magistrate 1st Class, Saharsa / concerned court in connection with Complaint Case No. 387C of 2014 subject to the conditions as contemplated under Section 438(2) of the Code of Criminal Procedure .

(Rakesh Kumar, J)

Praful/-

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

