

Criminal Miscellaneous No.14022 of 2016

1. Mani Kant Malakar @ Manikant Manikar, Son of Late Shubhuk Malakar, Resident of Village- Gogri Bazar, Ward No. 1, P.S. Gogri Bazar, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

For the Petitioner/s : Mr. Baidyanath Prasad, Adv.

For the Opposite Party/s : Mrs. Rita Verma (App)

For the Informant : Mr. Kumar Pravin, Adv.

ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner,
learned Additional Public Prosecutor for the State and
learned counsel for the informant.

This application, for grant of anticipatory bail, arises out of Gogri P.S. Case No.08 of 2016, disclosing offences under Sections 406, 420, 467, 468, 471 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he had taken certain amount from the informant for the purpose

of executing a sale-deed with respect to a piece of land in favour of the informant. Subsequently, he refused to execute the said sale-deed.

Learned counsel for the petitioner has submitted that evidently it is purely a civil dispute and keeping in view the nature of allegation, there is no chance of petitioner tampering with the evidence or fleeing away from the course of investigation.

Learned counsel for the informant, on the other hand, has opposed the prayer for anticipatory bail.

However, considering the facts and circumstances, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released 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, Khagaria**, in connection with **Gogri P.S. Case No.08 of 2016**, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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