

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28864 of 2016**

Arising Out of PS.Case No. -314 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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Praveen Kumar Son of Late Vinod Shankar Prasad Resident of Village  
Bidyadhar, Police Station Khagaria, District- Khagaria.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Viveka Nand Singh, Advocate.

For the Opposite Party : Mr. Mithilesh Kumar Khare (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

4      14-12-2016                      Heard the learned counsel for the petitioner as well as  
the learned APP for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 314 of 2016 for the offences punishable under sections 467, 468, 471, 420 and 120 B/34 of the I.P.C.

Allegedly, the petitioner sold the land of Khata No. 1, Khesra No. 11 area 1.78 acres, which was acquired by the District Land Acquisition Officer, Khagaria, in favour of Suresh Yadav.

Submission is that the land in question is the ancestral property of the petitioner, he was never given any notice regarding the land acquisition, Ishwar Chandra Bhagat is on inimical term with the petitioner and he had filed wrong application and on his application this case has been lodged on the basis of the report



which is in collusion and conspiracy with Ishwar Chandra Bhagat, Suresh Yadav has already been allowed pre-arrest bail and as such the petitioner also deserves sympathetic consideration. By order dated 05.10.2016 the petitioner has been allowed ad-interim bail and as such now he deserves sympathetic consideration. The petitioner is ready to cancel the sale deed and to return the amount of consideration money to the purchaser Suresh Yadav.

The learned A.P.P. submits that in case the petitioner cancels the sale deed and returns the consideration amount to Suresh Yadav, lenient view can be taken.

In the facts and circumstances as stated above, in case the petitioner cancels the sale deed and returns the consideration amount to Suresh Yadav then in that situation he, in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall 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. C.J.M. Khagaria in connection with the above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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