

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28824 of 2016

Arising Out of PS.Case No. -1991 Year- 2011 Thana -GAYA
COMPLAINT CASE District- GAYA

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Manoj Kumar Sharma, S/o Late Rameshwar Sharma,
resident of Mohalla - Madhusudan Colony, Road No. 5, P.S.
- Civil Lines, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Arun Kumar Verma, S/o Late Beni Madhav Prasad,
resident of Mohalla - Tilha Dharmshala West gate, P.S. -
Civil Lines, District - Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 19-12-2016 Heard the parties.

The present application, under Section 439(2) of
the Code of Criminal Procedure, has been filed seeking
cancellation of anticipatory bail granted to opposite party No.
2 by an order, dated 27.05.2016, passed by learned
Additional Sessions Judge-Vth, Gaya, in A.B.P. Nos.
24/16/1349/16, arising out of Complaint Case No. 1991 of



2011. In the said complaint, the opposite party No. 2 has been made accused of commission of offence punishable under Sections 420, 467, 323 and 504 of the Indian Penal Code.

It is alleged against opposite party No. 2 that he executed an agreement for sale with the petitioner with respect to a land, which did not belong to opposite party No. 2. He is said to have taken certain money as part of the consideration amount.

It appears from the order passed by the learned Additional Sessions Judge-Vth, Gaya, that while granting the privilege of anticipatory bail to opposite party No. 2, he had directed opposite party No. 2 to deposit in Treasury an amount of Rs. 1,15,000/-, which he is said to have received as part of the consideration money from the petitioner.

There appears no allegation of any misuse of the privilege so granted to opposite party No. 2 by the learned court below. No case for cancellation of anticipatory bail is made out.

This application is, accordingly, rejected.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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