

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34574 of 2016

Arising Out of PS.Case No. -2769 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Gautam Kanaudia son of late Indra Kumar Kanaudia resident of Pushpanjali
Plaza, P.S. Sri Krishnapuri, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rita Devi, wife of Vishwanath Singh, resident of Village- Demian
Chhatrajan (Diwanganj), Police Station- Muffasil, Ranipatra, District-
Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeeva Roy
For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-09-2016 Heard Sri Rajeeva Roy, learned counsel for the

petitioner and learned A.P.P.

The sole petitioner apprehending his arrest in
Complaint Case No. 2769 of 2015 registered for the offence
under Section 323, 447, 467 and 504 of the Indian Penal Code has
prayed for grant of anticipatory bail primarily on the ground that
one of the accused having almost similar accusation namely
Rupesh Kumar Agrawal who was arrayed as accused no. 3 in the
complaint case has already been extended the privilege of
anticipatory bail vide order dated 5.4.2016 vide Cr. Misc. No.
13447 of 2016. It has been argued that petitioner is a resident of



Patna and he was interested to purchase some land in Purnea . He was shown some land by the broker namely Pritesh Kumar who has been arrayed as accused no. 7. Subsequently after payment of consideration money he got the land registered measuring 16 decimal 8 kari vide registered sale deed dated 10.4.2015. After the land was registered the petitioner tried to erect boundary over the land in question. Thereafter objection was raised and finally complaint case was filed. He submits that the alleged broker namely Pritesh Kumar has already been extended the privilege of anticipatory bail vide order dated 7.1.2016 vide Cr. Misc. No. 334 of 2016 .

Learned A.P.P. has opposed the prayer of grant of anticipatory bail.

However keeping in view the nature of accusation as well as the fact that in similar circumstances other accused namely Rupesh Kumar Agarwal against whom there was also allegation that he had got registered sale deed in his favour for land measuring 23 decimal 1 kari, has been extended the privilege of anticipatory bail , there is no reason to deny the prayer for anticipatory bail to the petitioner. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the petitioner Gautam Kanaudia 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 Chief Judicial Magistrate, Purnea / concerned court in connection with Complaint Case No. 2769 of 2015 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

Praful/-

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