

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21127 of 2017

Arising Out of PS.Case No. -453 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Shiladitya Singh Son of Late Laliteshwar Prasad Singh, Resident of
Village- Sakarpura, P.S.- Bakhri, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Uma Sada, Son of Late Memo Sada, Resident of Village- Kaunia, P.S.-
Khagaria (Gangour), District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary
For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 01-07-2017 Heard Mr. Tiwary for the petitioner and Mr. Dayal,

APP for the State.

Apprehending his arrest in Complaint Case No.
453C/2015 registered under section 420/34 IPC, the petitioner has
filed the present application for anticipatory bail.

The complainant states that his uncle was the Purcha
holder of the land. The petitioner arbitrarily sold the land in
favour of co-accused Shyam Sundar Sada.

It is submitted that Shyam Sundar Sada accepts the
petitioner as the title holder of the land. Considering the said
stand of the co-accused, he has been granted the privilege of
anticipatory bail vide order dated 17.02.2017 (Annexure-2). It is
further submitted that even after the case of the prosecution is



accepted, a Purcha holder cannot transfer the land. The petitioner claims title over the land. In the submission of the counsel for the petitioner, it is a civil dispute which has been given a colour of criminal case. Referring to the statement made in para 16, it is stated that the warrant of arrest has been issued against the petitioner after taking cognizance.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Khagaria in Complaint Case No. 453C/2015 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge the petitioner shall appear in person in court concerned. In case of default in appearance on two consecutive dates, the trial court shall cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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