

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29902 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -BELHAR District- BANKA

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Sanjeev Kumar Singh Son of Bodh Narain Singh Resident of Village -
Ghamrahi, P.S. Belhar, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Belhar P.S. Case
No. 23 of 2017 instituted for the offence under Sections 341, 323, 420,
467, 468, 471, 504 and 506 of the Indian Penal Code.

It has been submitted that the petitioner has purchased
land from informant and his brothers as mentioned in the written report
by a registered sale deed in the year 1994 and he is coming in
possession over the same. He has annexed the rent receipt which is
issued in his favour and also a land possession certificate which has
been enclosed as Annexure-2 series.

The informant has alleged that he sold the land to the
vendor as mentioned in the written report on 24.12.2016 and when the
purchaser went to raise boundary wall, this petitioner objected and also
abused the purchaser.



In this manner, from the nature of dispute, civil remedy is available to the petitioner to redress his grievance before appropriate forum.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Belhar P.S. Case No. 23 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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