

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23383 of 2017

Arising Out of PS.Case No. -1004 Year- 2015 Thana -SAHARSA District- SAHARSA

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Vinod Kumar Singh Son of Late Kishori Prasad Singh, Resident of Village-
Dhabauli, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Saharsa Sadar P.S.

Case No. 1004 of 2015 instituted for the offence under Sections-420,
467, 468, 471, 459, 504, 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that he is
own uncle of the complainant/informant. There is land dispute between
the parties. There is simple allegation against this petitioner that he did
not take any action against the accused persons for execution of five
sale deeds. It has further been submitted that Title Suit bearing T.S.
No. 2609 of 2014 has been filed between the parties, which is pending
in the court.

In such circumstances, on perusal of the allegation made in
the complaint petition against this petitioner, this court is of the
view that the dispute is of civil nature. The civil remedy is



available to the complainant. Accordingly, the prayer for anticipatory bail is allowed and it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of 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 in connection with Saharsa Sadar P.S. Case No. 1004 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Saharsa subject to condition as laid down u/S 438(2) of the 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 petitioners 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.

A.K.V./-

(Sanjay Priya, J)

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