

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37951 of 2017

Arising Out of P.S.Case No. -184 Year- 2016 Thana -COMPLAINT CASE District- SHEOHAR

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Ramashankar Prasad Gupta, Son of Late Mauje Lal Sah, R/o Kora
Kanauli, P.S.- Parsauni, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Sanjay Kumar @ Sanjay Gupta, Son of Ramchandra Sah, R/o Nagar
Panchayat, Sheohar, Ward No. 10, P.S. & District- Sheohar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate

For the Opposite Parties : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-08-2017 Heard.

2. The petitioners apprehend arrest in connection with
Complaint Case No.C1-184 of 2016 registered for an offence
under Sections 420 and 504 of the IPC.

3. The complainant has alleged that he had entered into
an agreement to purchase land from co-accused Bhola Sah. This
petitioner and one Hari Kishore Sah @ Harishanker Sah had
allegedly acted as a middleman. The complainant paid an amount of
Rs.7,00000/- for getting the sale deed executed. On the fixed date
neither the executant nor the middleman came for registration of the
document. On persuasion, accused Hari Kishore Sah issued a cheque
which on presentation in Bank bounced on account of insufficient fund and,



accordingly, the case was registered.

4. The learned counsel for the petitioner submits that the petitioner has no concern with the agreement entered into by the parties. He neither issued the cheque nor had taken any amount from the executant. The allegation of cheating is vague and no specific allegation against the petitioner.

5. Learned APP opposed the submissions.

6. Considering the nature of allegation which appears to be a civil dispute with respect to transfer of land, the prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender within six weeks before the court below, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of CJM, Sheohar in connection with C1-184 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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