

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53515 of 2016

Arising Out of PS.Case No. -44 Year- 2014 Thana -NAWADA District- NAWADA

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Chandan Lal, Son of Late Dayal Lal, resident of village- Rewra, P.S.
Kashichak, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 406, 420, 467, 468, 471
and 120(B) of the Indian Penal Code.

It is alleged that the complainant has executed sale
deed with respect to 3.75 decimal of land on 30.5.2001 in favour
of the petitioner for providing job to his son, but he fails to do so.
The counsel for complainant alleged that on the pretext of getting
job to his son in America, the petitioner committed fraud and got
the aforesaid sale deed executed in his favour. Process under
Section 82 Cr. P.C. has already been issued against the petitioner
by the court below on 3.1.2017 and, therefore, the anticipatory bail
application is fit to be dismissed.



From perusal of the record it appears that anticipatory bail has been filed in this Court on 8.12.2016 and is pending since then. Moreover, from the impugned order dated 11.11.2016 it does not appear that the petitioner has ever been declared absconder by the court below. The nature of dispute is purely civil in nature and, hence, the civil remedy is available to the complainant to redress his grievances.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Nawada Town P.S. Case No. 44 of 2014, 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 Chief Judicial Magistrate, Nawada, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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