

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52713 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI

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1. Mahendra Prasad S/o Late Asharfi Prasad, R/o Village- Kharaua, P.S.-
Rahika, District- Madhubani Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Adv.

For the Opposite Party : Mrs. Anita Kumari Singh, APP 161

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-01-2017 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 406, 420, 467, 468, 471 and 34 of the Indian Penal Code.

The complainant had purchased a land through registered sale deed from this petitioner. At the time of agreement the petitioner had no title over the property and the complainant did not ensure as required by the law under the Transfer of Property Act that his vendor has title to transfer. Even at the time of execution of sale deed the complainant did not satisfy that the vendor has title. When, third person raised objection the criminal case has been lodged. Civil remedy is there to the complainant, no criminal remedy is there to give protection to the complainant for his negligence.

Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with



Madhubani Town P.S. Case No. 76 of 2016 to the satisfaction of the **Chief Judicial Magistrate, Madhubani**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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