

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50433 of 2017

Arising Out of Complaint.Case No. -148 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Manoj Kumar Gupta S/o Late Dharikshan Sah, R/o Village- Akdari, P.S.-
Chhauradano, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pintu Kumar @ Pintu Kumar Ram S/o Tej Narayan Ram, R/o Village-
Akdari, P.S.- Chhauradano, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 30-10-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Complaint Case No. C-148/2015 registered for the offences under
sections 420, 323 and 504 of the Indian Penal Code.

It has been alleged that this petitioner cheated the
complainant by taking Rs.1,60,000/- after executing a sale deed with
respect to the land which is actually not owned and possessed by the
petitioner. The contention of the learned counsel for the petitioner is
that the land was purchased by the petitioner from one Sinhasan
Rai by virtue of registered sale deed dated 03.04.2013. He being
bona fide owner executed sale deed in favour of the complainant.



The allegation of cheating is omnibus. There is bona fide land dispute between the parties. The learned APP on the other hand opposed the submission.

Considering the nature of allegation, facts and circumstances of the case, the prayer of anticipatory bail is allowed and the petitioner, Manoj Kumar Gupta, in the event of arrest or surrender before the Court below within a period of six weeks, 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 the learned Judicial Magistrate 1st Class, Raxaul at Motihari in connection with Complaint Case No. C-148/2015, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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