

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53905 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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Ajay Kumar Baranwal, son of Late Kedar Prasad Baranwal, R/o Village Isari Bazar, P.S. Isari, District Giridih (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate.

For the Opposite Party/s : Smt Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Budha Colony**
P.S. Case No. 78 of 2017 instituted for the offence under Sections 420,
379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in the complaint petition itself it is mentioned that the complainant entered into an agreement with Subodh Kumar Singh for sale of her flat through this petitioner who was looking after the flat in question. It is alleged that an amount of Rs11,51,000/- was paid in the joint account of this petitioner and the informant by one Cyril Sanjay. Cyril Sanjay has become ready to purchase the flat. It has further been submitted that out of Rs. 11,51,000/-, Rs.10,62,000/- has been paid in the personal account of the informant which counsel for the opposite party No. 2 does not deny. The remaining amount is payable by Cyril Sanjay



when the informant become ready to execute the sale deed.

In such circumstances, this Court finds that there is civil dispute between the parties.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Budha Colony P.S. Case No. 78 of 2017**, he 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 Smt. Ritu Kumari, learned **Judicial Magistrate, 1st Class, Patna**, subject to the conditions as laid down under Section 438 (2) 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 petitioner 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.

(Sanjay Priya, J)

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