

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55880 of 2017

Arising Out of PS.Case No. -272 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

=====

Kishori Singh, S/o Late Bahor Singh, Resident of Village- Bachhouta, P.S.-
Morkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tarni Prasad Yadav, S/o Late Chamru Yadav, Resident of Mohalla-
Malgodown Road, Khagaria, P.S.- Khagaria, District- Khagaria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate.
Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar – 1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint Case No. 272(C) of 2015** instituted for the offence under Section 420/34 of the Indian Penal Code.

It is alleged in the complaint petition that this petitioner took Rs.2,50,000/- from five persons including son of the complainant to allot project of computer education, but did not allot the same.

Learned counsel for the petitioner has submitted that there is no chit of paper to show that the aforesaid amount was received by this petitioner from the son of the complainant. It has further been submitted that this case has been filed due to land dispute as the petitioner has purchased the land from the complainant vide sale deed



dated 11.11.2011. Thereafter, the informant is making dispute regarding money with respect to the aforesaid land. The sale deed has been enclosed as Annexure-2.

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 **Complaint Case No. 272(C) of 2015**, 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 learned **Chief Judicial Magistrate, Khagaria**, 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)

S.Ali/-

U		T	
---	--	---	--

