

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3151 of 2017

Arising Out of PS.Case No. -115 Year- 2015 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Manish Kumar Singh, Son of Sri Ramagya Singh, Resident of
Village- Ghanghati, P.S.- Chakia, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Rajesh Kumar Modi, Son of Binod Kumar Modi, Resident of
Village- Chakia, P.S.- Chakia, District- East Champaran.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party : Md. Anzarul Haque Sahara (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Chakia P.S.

Case No. 115 of 2015 instituted for the offence under Sections
504, 323, 420, 406, 120B, 467, 468, 469, 470 and 471 of the
Indian Penal Code.

It is alleged in the complaint petition that the
petitioner executed registered Mahadanama in favour of the
informant for sale of his land as mentioned in the compliant
petition. The complainant has further alleged that total amount has



been received by the petitioner from the complainant. The informant sent a legal notice but petitioner refused to execute the sale deed in his favour after receiving the remaining amount of Rs.2,00,000/- as per Mahadanama.

Counsel for the petitioner has submitted that civil remedy is available to the informant for his grievance.

From the nature of allegation this court finds that it is a matter of civil dispute. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Chakiya P.S. Case No. 115 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 Additional Chief Judicial Magistrate-13th, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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