

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52829 of 2017

Arising Out of PS.Case No. -862 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Ramjee Mandal, son of Late Jagdish Mandal, resident of Village
Shankarpur, P.S. Sabour, Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kotwali (Tilakmanjhi)

P.S. Case No. 862 of 2014 instituted for the offence under Sections-406
and 420 of the Indian Penal Code.

It is alleged in the written report that petitioner has taken
Rs. 1,53,301/- for a disputed land and on the fixed date, he has not
executed the sale deed. It is further alleged that on demand of money by
the informant, a written agreement was prepared on plain paper in
which it was mentioned that if he will not refund her money then
Rajesh Ranjan will be the owner of the said land.

Learned counsel for the petitioner has submitted that it is a
civil dispute. There is no agreement either registered or unregistered
between the informant and the petitioner in respect of purchase and sale
of any land. Petitioner has never executed any agreement in favour of
husband of the informant in respect of sale of any land.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kotwali (Tilakmanjhi) P.S. Case No. 862 of 2014, corresponding to G.R. Case No. 4551 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to condition as laid down u/S 438(2) of the 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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