

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14193 of 2017

Arising Out of PS.Case No. -342 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Sachita Prasad, son of Late Beyadar Lal, Resident of Village- Malhara,
P.S.- Haspura, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dudheshwar Maistri, Son of Late Rambhajan Mistri, Resident of village
+ P.O.- Malhara, P.S.- Haspura, Distirct- Aurangabad (Bihar).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv,
For the Opposite Party/s : Mr. Sri Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-05-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 342 of 2013, disclosing offences
under Sections 420, 323/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the petitioner executed the
sale deed with respect the land in question in the year 2006 in
favour of O.P. No.2 and after lapse of seven years, petitioner has
falsely been made accused in this case on flimsy grounds. No
case under Section 420 of the I.P.C. is made out against the



petitioner. The petitioner, who is of 68 years of his age, is suffering from heart disease and a pacemaker is also installed in his body. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within 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 learned Sub- Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Complaint Case No. 342 of 2013, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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