

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72929 of 2018

Arising Out of PS. Case No.-732 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

=====

Ganauri Prasad S/o late Gopi Garain R/o Village-Sundi Bigha, P.O.+P.S.
Ekangar Sarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Mirtunjay Kumar S/o Kameshwar Prasad Singh R/o Village Atramchak,
P.O. Ekangar Dih, P.S. Ekangar Sarai, District- Nalanda.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman
For the Opposite Party/s : Mr. Sri Ataur Rahman

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 19-12-2018

Heard the learned counsel for the parties.

This application for anticipatory bail arises out of
Complaint Case No.732 (C) of 2017, disclosing offences under
Sections 406,448,504,506 of the Indian Penal Code.

The allegation against the petitioner is that he had
received a sum of Rs. 25,00,000/- as part payment of the
consideration amount for transfer of a piece of land in favour of
the complainant. It is alleged that as a matter of fact, the
petitioner did not have clear title over the land in question,
against which he had received the said amount.

Learned counsel appearing on behalf of the petitioner
has submitted that as a matter of fact, the complainant was



asked to pay rest of the consideration money for execution of the sale deed through notice but since he failed, the sale deed was not executed.

In any view of the matter as is apparent from the nature of accusation that the dispute is of civil nature, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Hilsa in Complaint Case No.732(C) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

