

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9878 of 2018

Arising Out of PS.Case No. -22 Year- 2017 Thana -BEUR District- PATNA

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Subhash Ray @ Subhash Rai, aged about 53 years, S/o Late Ram Chandran Ray, Resident of Pakdi, P.O.+P.S.- Phulwari Sharif, Dist- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Durga Narayan

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-04-2018 Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Buer P.S. Case No. 22 of 2017 for the offence registered under sections 420, 406, 467, 468 and 471 of the Indian Penal Code.

The allegation is regarding the petitioner no. 1 and his two sons having withdrawn the money received by the father of the petitioner no. 1 by way of compensation for the land acquired by the government. According to the informant, who is the brother of the petitioner, the family was a joint hindu family property and the money belongs to all the brothers but the petitioner herein had withdrawn the same without any authority.

The learned counsel for the petitioner submits that the father of the petitioner was staying with him as such he had



been permitted by him to withdraw the money. It is further submitted that at best the matter can be said to be a civil dispute for which the remedy lies before an appropriate court of civil jurisdiction. It is further submitted that the co accused person has already been granted bail by this Court by an order dated 07.03.2018 passed in Criminal Misc. 11153 of 2018. The petitioner is said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Buer P.S. Case No. 22 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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