

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11153 of 2018

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

SAURAV ROY @ SONU S/o Subhash Roy, R/o Pakari, Bishnupur Pakri,
P.S.- Beur, District- Patna

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr. Ratanakar Jha, Acv.
For the State	:	Mr. Satya Nand Shukla, APP 130
For the informant	:	Mr. Haseenul Haque Quadri, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner, the informant and learned APP for the State.

Petitioner apprehends his arrest in connection with Beur P.S. Case No. 22 of 2017 instituted for the offence under Sections 420, 406, 467, 468 and 471 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is the nephew of the informant and is a student of engineering. In the written report it is alleged that after acquisition of the land belonging to joint family property compensation of Rs.31/- lakh was transferred in the account of the father of the informant. It is alleged that after death of the father of the informant, entire amount has been withdrawn by his brother, Subhash Rai, and his son, Saurav Rai, the (petitioner).



The counsel for the informant has submitted that withdrawal has been made from the account after the death of the father of the informant.

This Court is of the view that this dispute can only be looked into as civil dispute and civil remedy is available to the informant.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Beur P.S. Case No. 22 of 2017** 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 the **Chief Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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