

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28490 of 2018**

Arising Out of PS. Case No.-4531 Year-2013 Thana- PATNA COMPLAINT CASE District-  
Patna

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Ran Vijoy Kumar @ Ran Vijay Kumar, S/o Late Ram Chandra Singh,  
resident of Village- Makhdumpur, P.S.- Khijarsarai, District- Gaya, at present  
R/o 102, Sakuntala Apartment, Kavi Raman Path, Nageshwar Colony, P.S.-  
Budha Colony, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Paras Nath Singh S/o Sri Ram Chandra Singh, R/o Nalanda Colony, P.S.-  
Kankarbagh, District- Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binod Murari Mishra  
For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2     18-05-2018             Heard learned counsel for the petitioner and learned APP  
for the State.

Petitioner apprehends his arrest in complainant case no.  
4531 ( c ) of 2013 instituted for the offence under Section(s)  
406 and 420 of the Indian Penal Code.

It is alleged in the complaint petition that complainant  
entered into an agreement for sale with the petitioner for 11  
katha of land at the rate of Rs. five lacs per katha. It is further  
alleged that complainant paid Rs. five lacs as earnest money in  
presence of witnesses and sale deed was to be executed within  
four months. Later on, the complainant learnt that the land does  
not belong to the petitioner and the complainant has sent legal



notice and also approached the petitioner to return the earnest money or arrange other land but of no consequence.

Learned counsel for the petitioner submits that petitioner has mentioned in para 12 of the bail petition that all the amounts have been paid by the petitioner either to the complainant or to the witnesses at the advice of the complainant for which they have given receiving on non-judicial stamp paper. Copy of receiving the amount by the complainant or the witnesses have been annexed as Annexure -4 to the bail petition.

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 Complaint case no. 4531 ( c) of 2013, 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 learned Sub-Judge-XVI-cum-ACJM,Patna, subject to the conditions as laid down under Section 438(2) 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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