

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54545 of 2017

Arising Out of PS.Case No. -116 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Satyendra Sah @ Satyendra Prasad, S/o Late Ram Chandar Sah,
Resident of Village Lalapur, (Jahanabad) P.S. Kudra, District Kaimur at
Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 16-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kudra P.S. Case
No. 116 of 2017 instituted for the offence under Sections 406 and
420 of the IPC.

Learned counsel for the petitioner submitted that it is a
case of land dispute. The petitioner has also filed a case against the
informant vide Kudra P.S. Case No. 132 of 2017 for making a
demand of Rs. 5,00,000/- as Rangdari by the informant.

It is alleged in the written report that the petitioner and
the informant were co-sharer in business of property dealing. They
have purchased land in partnership. The sale deed has been
executed in favour of petitioner. It is further alleged that the
petitioner sold the aforesaid land but did not give the share to
informant from that transaction.



From the averments made in the written report itself, it appears that there was business dispute between the parties for which civil remedy is available to informant.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kudra P.S. Case No. 116 of 2017 to the satisfaction of learned C.J.M., Kaimur at Bhabhua subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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