

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1682 of 2018

Arising Out of PS.Case No. -360 Year- 2016 Thana -BIHTA District- PATNA

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Sanjay Kumar Singh, S/o Late Ram Jyoti Singh, R/o Village- Bishunpura,
P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Iswar Dayal Singh, son of late Badri Singh, resident of village & P.O.
Bishunpura, P.S. Bihta, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma, Advocate.
For the informant : Mr. Manoj Kumar, Advocate.
For the Opposite Party/s : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 22-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bihta P.S.**

Case No. 360 of 2016 instituted for the offence under Sections
406, 420, 504 and 506/34 of the Indian Penal Code.

It is alleged in the complaint petition that the complainant executed sale deed on 6.9.2014 in the name of wife of this petitioner for consideration money of Rs.42,08,000/- in the Sub Registry Office, Danapur. It is further alleged that petitioner had promised the complainant to give all the money in the evening. When the informant went to the house of the petitioner, he did not give money to him.

Learned counsel for the petitioner has submitted that



the informant has executed sale deed in favour of wife of petitioner which has been enclosed as Annexure-2 wherein it is mentioned by the executant (informant) that he has received the entire consideration money from the petitioner. It further appears from Annexure-2 that rent receipt has been issued for aforesaid land in favour of the petitioner. It has further been submitted that after execution of aforesaid sale deed, son of the informant, namely Sadanand Singh, has executed another sale deed with respect to different land in favour of wife of the petitioner on 19.5.2015.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Bihta P.S. Case No. 360 of 2016**, 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 **learned Additional Chief Judicial Magistrate, Danapur**, 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 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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