

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61203 of 2018

Arising Out of PS. Case No.-400 Year-2017 Thana- DIGHA District- Patna

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Bijendra Kumar, Son of Shri Bihari Rai @ Bihari Singh, Resident of Village-
Lodipur, Police Station- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeeva Roy

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420, 506/34 of the Indian Penal Code.

The petitioner was found in possession of Flat No.302, which the informant claims to be allocated in her share in the Building Development Agreement. The petitioner contended that he is in possession in pursuance of an agreement to sale with *Vimlesh Kumar*. The F.I.R. further reveals that *Vimlesh* is also a co-partner of one percent share of the said premise.

Considering the bona fide dispute of civil nature and the fact that the petitioner has got no criminal antecedent,



let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Digha Police Station Case No.400 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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