

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60626 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -KADAMKUAN District- PATNA

=====

Vijay Kumar @ Jagarnath Prasad Son of Late Raghunath Prasad resident of Mohalla - Musallahpur Hatt, Machhali Bazar, P.S. Kadam Kuan, Town & District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Sheshnath Singh, son of Late Basudeo Singh, resident of village Raroiya, P.S. Ramgarh, District Kaimur (Bhabhua) at present 63, Defence Colony, Lohianagar, P.S. Kankarbagh, District Patna

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Sharma

For the Opposite Party/s : Smt. Sucheta Yadav

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-05-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Kadam Kuan P.S. Case No. 135 of 2017, registered for the offences punishable under Sections 448, 419, 420 and 506 of the Indian Penal Code.

Allegation against the petitioner is that he sold the house to the complainant and received payment and taken possession but thereafter he ousted the complainant from the house and for that complainant has lodged a case.

Submission of learned counsel for the petitioner is that as a matter of fact full payment has not been made and complainant has not been given possession of the house, as such, the case is false and concocted.



Heard learned APP and learned counsel for the complainant/informant. They have opposed the prayer for anticipatory bail of the petitioner on the ground that complainant has been forcefully ousted from the house though mutation has been done in his name and electric connection has been installed in his name.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, surrender in the court below within a period of four weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sub Judge-VII, Patna, in connection with Kadam Kuan P.S. Case No. 135 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and further condition is that petitioner has to co-operate in investigation.

(Vinod Kumar Sinha, J)

spa/-

U			
---	--	--	--

