

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43378 of 2018

Arising Out of PS.Case No. -433 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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Anil Kumar Sharma, Son of Late Sant Bihari Sharma @ Bchcha Babu,
Resident of Village- Supauli, P.S.- Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kanchana T.K., D/o Late Sanjay Kumar Sharma, Resident of Village-
Supauli, P.S.- Pachrukhi, District- Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate. Mr. Pravin Kumar, Advocate.
For the Complainant	:	Mr. N.K. Agrawal, Sr. Advocate. Mr. Deepak Kumar, Advocate.
For the State	:	Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-08-2018 Heard learned counsel for the petitioner, learned counsel
for the complainant and the State.

The petitioner apprehends his arrest in **Complaint Case No. 433C of 2017** instituted for the offence under Sections 406, 423, 467, 471 and 504 of the Indian Penal Code.

In the written report it is alleged that husband of the complainant died in the year 2000. He has share in the ancestral property such as Petrol Pump, land etc. The complainant has been deprived of the share of her husband after his death. Not a single penny has been given by accused person to her for education of her daughter.

Counsel for the petitioner submits that complainant has



filed Title Partition Suit No. 294 of 2014 which is pending in the court of Sub Judge 5th, Siwan. He further submits that it is a case of civil dispute between the parties for share of properties.

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 **Complaint Case No. 433C of 2017**, 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 **Sub-Judge-XIV cum Additional Chief Judicial Magistrate, 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 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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