

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19188 of 2018

Arising Out of PS.Case No. -465 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Prem Kumar Gupta, S/o Shambhu Dayal Gupta, Resident of Mohalla- Bela
Gola, Hari Nagar, P.S.- Ramnagar, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Jagdish Kumar Gupta, S/o Shambhu Dayal Gupta, Mohalla- Belagola,
Harinagar, P.S.- Ramnagar, Dist- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner, learned
counsel for opposite party no. 2 as well as learned Additional
Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 465-C/2016 in which cognizance has been
taken under Sections 406, 120-B of the Indian Penal Code.

Petitioner and opposite party no. 2(complainant) are
full brothers and claim of the opposite party no. 2 is that he got
some lands in partition and got constructed house but petitioner
transferred the aforesaid land in favour of co-accused persons.

Learned counsel for the petitioner submits that house



in question had fallen in the share of the petitioner and subsequently, petitioner transferred the house in question to other accused but on account of previous partition dispute, the opposite party no. 2 has brought this false case. He further submits that moreover, fact of the present case constitutes a civil dispute.

Although, learned counsel appearing for opposite party no. 2 opposed the prayer for anticipatory bail but considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran in Complaint Case No. 465-C/2016 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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