

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14268 of 2018

Arising Out of PS.Case No. -1571 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA
 =====

1. Jitendra Prasad @ Doman S/o Late Nanhak Tatwa, R/o Mohalla- Mangla Gauri, P.S.- Vishnupad, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar & another

.... Opposite Party/s
 =====

Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh

For the Opposite Party/s : Mr. Rajkishore Singh
 =====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 06.04.2018 Heard learned counsel for the petitioner, learned counsel for opposite party no.2 as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Complaint case no. 1571/2016 in which cognizance has been taken for the offence punishable under section 420 of the Indian Penal Code.

The accusation against the petitioner is that he executed an agreement for sale after taking huge amount in respect of land but he did not execute absolute sale deed nor returned the consideration money in spite of several requests.

In my view, the fact of the present case constitutes



a civil dispute and opposite party no.2 may file a civil suit and no criminal liability is made out in the present case.

Accordingly, this anticipatory bail application is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate XI, Gaya in Complaint case no. 1571/2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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