

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39067 of 2018

Arising Out of PS. Case No.-821 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Manoj Kumar @ Manoj Kumar Ram, S/o Mahesh Ram, R/o Village-
Girdhariya, P.S.- Shiv Sagar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Singh, S/o Sri Ganga Singh, R/o Village- Bhaisola, P.S.- Kudra,
District- Kaimur (Bhabhua).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-07-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party no.2 .

Petitioner apprehends his arrest in complaint case no. 821
of 2017 instituted for the offence under Section(s) 420 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that an
agreement has been entered into with five persons including
this petitioner. In this respect he has pointed out Annexure-2
which is annexed to the bail petition. He has further submitted
that sale deed with respect to 45 decimals of land has already
been executed by the petitioner. It is further submitted that sale
deed for the remaining 25 decimals of land, as per agreement,



will be executed by the petitioner after receiving the due consideration money by different purchasers as per agreement.

Learned counsel for the opposite party no.2 has appeared and admitted this fact that sale deed with respect to 45 decimals of land has already been executed by the petitioner.

In such circumstances, this Court finds that it is a matter of pure civil dispute for which the opposite party no.2 has civil remedy.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with complaint case no. 821 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 the CJM, Rohtas, Sasaram, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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