

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49018 of 2018**

Arising Out of PS. Case No.-249 Year-2016 Thana- MANER District- Patna

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Ram Naresh Rai, S/o Late Sohala Rai, R/o Village- Nilkanth Tola Goraiya  
Sthan, P.O.- Byapur, P.S.- Maner, Dist.- Patna.

... .. Petitioner/s

Versus

1.The State of Bihar  
2. Sudarshar Verma, S/o Sri Ram Pravesh Verma, Village Dativara, PS  
Bikram, Distt. Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Upendra Kumar Singh  
For the Opposite Party/s : Mr. Sri Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      12-12-2018                      Heard learned counsel for the petitioner, learned  
  
counsel for the State and learned counsel appearing for the  
  
informant.

The petitioner is apprehending his arrest in connection  
with Maner PS Case No. 249/2016 for the offence under  
Sections 406, 420 and 34 of the Indian Penal Code pending in  
the court of Additional Chief Judicial Magistrate-I, Danapur.

Learned counsel for the petitioner submits that the  
petitioner has no criminal antecedent. Referring to the  
prosecution case, learned counsel for the petitioner submits that  
allegation against the petitioner is that he has received Rs.3 lacs  
from the complainant as advance to sell his home and the  
petitioner has declined to execute the deed in favour of the



informant. Learned counsel for the petitioner submits that perusal of Annexure-1 would indicate that complaint petition was filed without the signature of the complainant which was sent to Station House Officer, Maner to lodge F.I.R.

Learned counsel representing the informant vehemently opposed the prayer for bail. But she has not been able to make out a case that in a dispute involving enforcement of undertaking filing of criminal case and on such criminal case grant of anticipatory bail is impermissible.

Considering the totality of the fact situation, the Court is inclined to grant bail to the petitioner. In the event of arrest or surrender before the court below within one month from today, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Danapur in connection with Maner PS Case No. 249 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anil Kumar Upadhyay, J)**

mrl./-

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