

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1544 of 2018

Arising Out of PS. Case No.-282 Year-2017 Thana- FATUHA District- Patna

SANJAY KUMAR @ SANJAY KUMAR MEHTA, S/o Ramashis Mahto, R/o
Village - Bankipur Gorakh, P.O. + P.S. Fatuha, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 467/468/471/420 of
the Indian Penal Code.

The prosecution case is that the petitioner is claiming that
an agreement to sale has been executed by the informant and his
father with regard to the informant's land appertaining to Thana
NO.18, Khata No.62, Survey Plot Nos. 4 and 5. Though no such
agreement for sale has ever been executed.

It is submitted by learned counsel for the petitioner that
agreement to sell was executed on 13.02.2012 and due to non-
execution of sale deed, the mother of the petitioner has lodged
Complaint Case No.431 of 2016, levelling accusation under
Sections 323, 341, 406, 420, 504, 511, 34 of the Indian Penal



Code, hence, as a retaliatory measure, the present case has been lodged. Statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State submits that there is specific accusation against the petitioner also.

Considering the nature of accusation arising out of civil nature of dispute and the complaint case filed by the complainant at earlier point of time, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City, in connection with Fatuha P.S. Case No. 282 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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