

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64529 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- MOKAMAH District- Patna

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Kedar Prasad Singh son of Late Ramchandra Singh, Resident of Village-
Meldiyar Tola Ward No. 10, P.S. Mokama, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Sri Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 12-12-2018 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 406, 420, 504,
506/34 of the Indian Penal Code.

The accusation against the petitioner is that he took
certain amount in advance for transferring his land in favour of
the informant but subsequently, he refused to transfer the land in
favour of the informant.

Submission on behalf of the petitioner is that as a
matter of fact, petitioner had given possession of his lands to the
informant on Batai but the informant did not make payment of
rent of the aforesaid lands as well as amount of Batai for



which the petitioner lodged Mokama P.S.Case No. 103 of 2018 prior to institution of the present case and after that the informant lodged the present case. He further submitted that moreover, there is nothing on the record to show that the petitioner was ever entered into an agreement with the informant to transfer his land. He further submitted that moreover, even if the prosecution story assumed to be true, then also ,the facts of the case constitute a civil dispute.

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 the learned Judicial Magistrate, 1st class, Barh, Patna in Mokama P.S.Case No. 104 of 2018 subject to condition as laid down under Section 438(2) of the Cr.P.C.

N.K/-

(Hemant Kumar Srivastava, J)

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