

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16844 of 2018

Arising Out of PS.Case No. -972 Year- 2013 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Sanjay Prasad Son of Late Darshan Raut Resident of Village - Bazitpur
P.S. Ghosi District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Afroz Son of Md. Esmile Resident of Mohalla - Fida Hussain Road,
P.S. Jehanabad, District Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
complaint Case No.972 of 2013 , registered for offences
punishable under Sections 420, 341 and 323 of the Indian Penal
Code.

Allegation against the petitioner who is owner of the house
is that after taking payment as advance from the complainant who
is said to be tenant, he is not giving the house though agreement
was made between the parties.

Submission of the learned counsel for the petitioner is that
the whole case is false and concocted and allegation is civil in
nature.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Complaint Case no.972 of 2013 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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