

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25841 of 2018

Arising Out of PS.Case No. -400 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Prasun Kumar Lal @ Prasun Kumar Singh, son of Late Thakur Bharat Singh, resident of Village- Genhua, Police Station- Chand, District- Kaimur, At present resident of Bhabua, Near Rose Bud School, Police Station- Bhabua, District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra

For the Opposite Party/s : Mr. Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 04-05-2018

Heard both sides.

The petitioner apprehends his arrest in Bhabua P.S. Case No.400 of 2014 registered under Sections 406, 420 of the Indian Penal Code. Later on, Sections 341, 323, 379, 354, 504 of the Indian Penal Code were added.

The informant made allegation that on the request of the petitioner, she handed over Rs.2,50,000/- on 10.12.2010 and again handed over Rs.2,50,000/- on 12.01.2011 for purchasing a piece of land from the petitioner. But even after having received the money, the petitioner did not execute the sale deed. It is further alleged that when the informant demanded money, the petitioner misbehaved with her.

The learned counsel for the petitioner submits that there is no chit of paper to show that petitioner received any



money from the informant. It is further submitted that petitioner was not released on personal bond but he was granted privilege of Section 41 of the Cr.P.C. The petitioner has got every apprehension to be arrested.

The learned counsel for the informant as well as learned A.P.P. however vehemently opposed the prayer of anticipatory bail.

It appears that dispute arose due to non-execution of the sale deed although the informant alleged to have given the consideration amount in cash and the petitioner denied to have received any amount.

Considering the facts aforesaid, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No.400 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

