

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71026 of 2018

Arising Out of PS. Case No.-1207 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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UMESH PRASAD SINGH @ UMESH PRASAD HI Son of Late Ram Bhawan Singh Resident of Mohalla-Gachhi Tole (Near Bus Stand), Police Station-Begusarai Town, Distt.-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Anukampa Singh wife of Dr. Sanjay Kumar Singh Presently residing at Mohalla-Sri Krishna Nagar Gali No.2, Police Station-Begusarai Town, Distt.-Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash
For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-12-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for informant.

The petitioner seeks bail in complaint Case No. 1207 of 2017 instituted for the offence under Section(s) 420, 465 and 467 of the Indian Penal Code.

In the written report it is alleged that the informant entered into sale agreement with petitioner for purchase of land and paid an advance of Rs. ten lacs. The informant, later on learnt that the aforesaid land has already been sold by the petitioner in favour of one Pandit Kaladhar Himanshu on 10.11.2008. The complainant made request with petitioner to return the amount but the same was refused by the petitioner.



Learned counsel for the petitioner submits that complainant has already filed Money suit for recovery of the amount vide Money Suit no. 916 of 2017 which is pending between the parties and in the said case summon has also been issued to the petitioner. It has further been submitted that it is a matter of civil dispute. The informant has already went for civil remedy.

Learned counsel for the informant has appeared and opposed the prayer for bail. He has submitted that he has paid an amount of Rs 10 ten lacs in cash.

Considering the aforesaid, let the petitioner, above named, 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 the CJM, Begusarai, in connection with complaint Case No. 1207 of 2017 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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