

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9570 of 2019

Arising Out of PS. Case No.-1001 Year-2016 Thana- SARAN COMPLAINT CASE District-
Saran

=====

Dharmendra Kumar Singh @ Tippu Singh, S/o Late Prithivichand Singh R/o
Village- Harpur,P.S- Ekma, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjiv Kumar S/o Jagdeo Rai, resident of village-Daryaoganj, P.S-Chapra
Mufassil, District- Saran @ Chapra

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Ramchandra Sahni

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

8 09-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Complaint Case No.1001 of 2016 for the offence punishable
under Sections 406, 419, 384, 420, 342/34 of the Indian Penal
Code but cognizance has been taken only under Section 420 of
the Indian Penal Code.

The allegation against the petitioner as per the
complaint is that the petitioner along with others on the pretext
of providing job took a sum of Rs. 4 lakh through cash and bank
transfer in the account of co-accused, Priyanka Devi. It has
further been alleged that Priyanka Devi is wife of the petitioner.



Learned counsel appearing for the petitioner submits that petitioner has falsely been implicated inasmuch as both the parties are related and the mother of the complainant had purchased a piece of land from the aunt of the petitioner in which petitioner is the witness. Learned counsel further submits that the aunt of the petitioner is issue less having no bank account and as such consideration amount of the said land sold by aunt of the petitioner was deposited in the bank account of Priyanka Kumari, who is sister of the petitioner, not wife, as alleged in the complaint.

Despite the time having been granted to the counsel appearing for Opposite Party No.2 on 31.07.2019, no supplementary affidavit has been filed by learned counsel appearing for Opposite Party No.2. Learned counsel for Opposite Party No.2 also did not appear on 7.8.2019 and today also when the matter was called, nobody appeared on behalf of Opposite Party No.2.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there appears to be a civil dispute between family of petitioner and family of complainant and title suit and partition suit is pending between them, as such,



I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

