

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19291 of 2019

Arising Out of PS. Case No.-176 Year-2018 Thana- NAYA RAM NAGAR District- Munger

AMRENDRA KUMAR @ KARU SINGH, Son of Late Yadu Nandan Singh
@ Domi Singh, Resident of Village - Garhi Rampur, P.S. - Nayaram Nagar,
District - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Bilas Roy, Son of Late Janki Rai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Sinha 2, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 10-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 120B of the Indian Penal Code.

Petitioner had entered into an agreement to sale property to the complainant and had received part consideration money of rupees fifty thousand. Thereafter, complainant came to know that the land, which was subject matter of the agreement, was of the Forest Department, then asked to the petitioner to refund the money and on non-refund of the money, the complainant found himself cheated.

Learned counsel for the complainant opposed the prayer for anticipatory bail. However, he is unable to inform the



Court as to what documents of title of petitioner, he had seen at the time of entering into an agreement of sale with the petitioner.

A casual and lethargic complainant cannot be protected under the Law, if the complainant does not fulfill its liability mentioned in the Transfer of Property Act. If the petitioner would have shown any document, the matter would have been different. In this case, the complainant entered into agreement without going through any document of title of the petitioner. The civil remedy of the complainant, if available, may be availed.

Considering the nature of allegation and material available on the record, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Nayaram Nagar Police Station Case No. 176 of 2018 arising out of Complaint Case No. 276C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well



as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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