

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14365 of 2019**

Arising Out of PS. Case No.-372 Year-2018 Thana- BARHARIA District-
Siwan

=====

Anand Kumar aged about 41 years, male, Son of Prabhunath Parwat R/o
Mohalla- Yamunagarh Bypass Road Barharia, P.S.- Barhariya, Distt.- Siwan

... .. Petitioner

Versus

1. The State of Bihar
2. Balister Singh Son of Ram Nihora Singh R/o village- Bibi Ke Bangara,
P.S.- Barharia, District- Siwan

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Jitendra Kumar Giri
For the Opposite Party : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420, 406, 504, 506/34 of the Indian Penal
Code registered in connection with Barharia P.S. Case No. 372 of
2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation that the petitioner did not execute
the conveyance deed but transferred the land in question despite
having entered into a registered agreement with the informant
for sale of his land. It is submitted that as a matter of fact the
informant failed to make payment of the entire consideration
amount according to the agreement and for which a legal notice
had been sent to the informant for payment of the remaining
amount of Rs. 10,00,000/- to the petitioner. It is further
submitted that in any event the transaction between the parties



is purely of civil nature. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barharia P.S. Case No. 372 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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