

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22498 of 2019

Arising Out of PS. Case No.-388 Year-2015 Thana- MADHUBAN District- East Champaran

Dinesh Prasad Gupta Son of Late Chhathu Sah, Resident of village-
Madhuban P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-07-2019 Heard both sides.

The petitioner apprehends his arrest in Madhuban P.S.

Case No.388 of 2015 registered under Sections 341, 323, 379,
406, 420, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
prayer for anticipatory bail of the petitioner was earlier allowed
to be withdrawn after some argument. The petitioner again
moved this court for grant of anticipatory bail. It is submitted
that the dispute is of civil nature.

From perusal of records, it appears that the petitioner
received Rs.8,11,000/- from the informant through bank draft
and executed a sale deed with regard to the disputed land
although the petitioner has got no title over the disputed land.
Earlier the petitioner had agreed to return the money to the



informant but when he failed to return the amount to the informant, the prayer for anticipatory bail of the petitioner was allowed to be withdrawn after some argument but even thereafter the petitioner did not surrender in the court below and evaded his appearance for more than two and half years.

Having considered the facts that it was the petitioner, who played fraud upon the informant and took Rs.8,11,000/- for executing sale deed of his own land but the petitioner inserted the disputed land in the sale deed, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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