

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21551 of 2019**

Arising Out of PS. Case No.-461 Year-2018 Thana- SIKARPUR District- West Champaran

Parmeshwar Prasad, S/o Jagarnath Prasad, R/o village- Kasariya, P.S.-
Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 09-05-2019 This is an application for grant of anticipatory bail in connection with Shikarpur P.S. Case No. 461 of 2018 disclosing offences under Sections 420, 467, 468, 471, 323, 384, 504, 506, 120(B) of the Indian Penal Code.

Allegation against the petitioner is that he has taken consideration money of Rs.5,50,000/- from the complainant for the sale of the land, but the petitioner was not executed the sale deed and he has executed the sale deed to some other person. It further appears that the complainant has filed a case against the petitioner before the District Magistrate bearing Case No. 94 of 2013-14.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted and the appeal is pending before the District Magistrate, Bettiah and the matter



relates to the civil dispute. Further submission is that the petitioner has no criminal antecedent.

Heard learned A.P.P. also.

From the allegation it appears that in spite of the receipt of the consideration amount, petitioner has not executed the sale deed in favour of the complainant and the petitioner has sold the land to some other persons.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, as the matter is pending before the District Magistrate, as such, if petitioner surrender and is ready to pay at least fifty percent of the consideration amount, the learned court below shall consider the same, while disposing of his application for bail, if possible on the same day.

(Vinod Kumar Sinha, J)

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