

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47623 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- PHULWARISHARIF District- Patna

MD. MANAWAR ALAM @ CHHOTU BABU @ MANAWAR ALAM Son
of Saiyad Alam Marhum Resident of Village - Jamal Apartment Flat No. 201,
Near Imarte Sariya, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Phulwarisharif P.S. Case No. 116 of 2019, disclosing offences under Sections 406, 467, 468, 469 and 420 of the Indian Penal Code.

It is alleged in the FIR that the petitioner had received a consideration money of Rs.12 lakh from the informant against purchase of a shop in a market complex. The petitioner has refused to execute the sale deed.

Learned counsel, appearing on behalf of the petitioner, has submitted that there is nothing to show that the said amount was paid in the account of the petitioner. He has also submitted that a civil dispute is being given a colour of



criminal case by twisting the real facts.

Be that as it may, considering the nature of dispute, a case for grant of anticipatory bail is made out.

This application is accordingly allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Sub-Judge-XV-cum-ACJM, Patna in connection with Phulwarisharif P.S. Case No. 116 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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