

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49817 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- DAUDNAGAR District- Aurangabad

Sanjay Singh S/O Late Laldeo Singh Resident of Village- Tarari, P.S.-
Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Daudnagar P.S. Case No. 41 of 2019, registered under Sections 406, 420, 323, 504 and 34 of the Indian Penal Code.

The allegation against the petitioner, as per the F.I.R. lodged on 03.02.2019 that husband of the informant was told by the petitioner that a piece of land was available in Rupchandra Bigha at cost of Rs. 9 lakhs per bigha and on that basis the husband of the informant purchased 3.5 bigha of land from Sumitra Devi and Manju Devi by way of registered sale deed dated 28.12.2016. It has further been alleged that the husband of the informant gave Ms. Sumitra Devi a cheque of Rs. 10 lakhs and another cheque of Rs. 21 lakhs 50 thousand was given to



Mr. Sanjay Singh.

It is further alleged that when the informant with her husband went to take possession of the land they found that the said land was already in the possession of Sambhu Chaturvedi and when the informant and her husband demanded the money back the petitioner and others assaulted and abused the informant.

Learned counsel for the petitioner submits that petitioner has been falsely been implicated in this case, inasmuch as from perusal of Annexure-2 it would be evident that land in question was purchased by the informant's husband by way of registered sale deed from Sumitra Devi and Manju Devi for consideration in 2016. Learned counsel further submits that after a lapse of three years when possession was not being given by the purchaser to the husband of the informant, the present F.I.R. has been lodged with malafide intention.

Learned counsel further submits that the husband of the informant has filed a money suit against the petitioner and others which would be evident from Annexure-2.

After having heard learned counsel for the parties and taking into consideration the fact that parties are having a land dispute and further that the F.I.R. has been lodged after a lapse



of approximately three years from the date of purchase of land in question, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No. 41 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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