

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50525 of 2019

Arising Out of PS. Case No.-87 Year-2017 Thana- MADHUBANI TOWN District-
Madhubani

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BHAVA NATH JHA Son of Jagnath Jha Resident of Village- Koilakh, P.S.-
Raj Nagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishore Jha, S/o Ram Chandra Jha, R/o vill.-Salempur, P.S.-Pandaul,
District-Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav
For the State	:	Mr.Arun Kumar Singh
For the Respondent	:	Mr. Jyoti Prakash

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 20-11-2019 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Madhubani Town P.S. Case No. 87 of 2017 registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

The allegation is regarding the informant having arranged for a land deal in between the accused persons and his brother-in-law, namely, Jitendra Chaudhary, whereafter the sale deed was got registered in favour of the wife of one of the accused person, namely, Kanchan Kumari and the seller in this case is said to be the brother-in-law of the informant, namely, Jitendra



Chaudhary, however, subsequently, some dispute had arisen with regard to non-payment of the full amount of the sale consideration.

The learned counsel for the petitioner submits that since the sale deed has already stood registered, which has not been denied by the informant and others, the natural conclusion is that the sale consideration has also stood paid. In any case, it is submitted that if at all any dispute is there, it is a dispute arising out of civil cause of action and the remedy for the informant and others would lie before the competent court of civil jurisdiction. The petitioner is stated to be having a clean antecedent. Lastly, it is submitted that the petitioner is neither the purchaser nor the seller and he has got nothing to do with the alleged occurrence.

Per contra, the learned counsel appearing for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned C.J.M., Madhubani in connection with Madhubani
Town P.S. Case No. 87 of 2017, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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