

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56980 of 2019

Arising Out of PS. Case No.-857 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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BINOD KUMAR Son of Late Baldeo Prasad Singh @ Baldeo Rai Resident of
Mohalla- Bhikhachak, P.S.- Gardanibag, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Mukesh Kumar S/o Chitranjan Prasad Resident of Mohalla- Purve Tola
Saristabad, P.O.- Anishabad, P.S.- Gardaniobagh, District- Patna- 800002

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr. R.B. Roy 'Raman', APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 09-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint
Case N0. 857(C) of 2018, disclosing offences under Section
420,467,468,471 120B of the Indian Penal Code.

From the complaint petition, it transpires that allegedly the
complainant and the petitioner had purchased a piece of land jointly and
under an agreement they had sold the property to accused No.2. It is the
case of the complainant that though he held more land than the petitioner,
he has been paid only Rs. 16,00000/- (sixteen lakhs) treating his right
equal to right of the petitioner.

Learned counsel appearing on behalf of the petitioner has
submitted that the dispute is based on documents and are civil in nature. He
has further submitted that considering the nature of allegation, there is no
chance of tampering with the evidence.



From paragraph 3 of the application, it transpires that there are several criminal cases against the petitioner.

Learned counsel for the petitioner has submitted in that regard that the petitioner is on bail and many of the said cases had been registered at the instance of his agnates.

Be that as it may, considering the nature of allegation in the present case, this application is 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 bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-XVII, Patna in Complaint Case No. 857(C) of 2018, subject to the conditions 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.

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(Chakradhari Sharan Singh, J)

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