

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73984 of 2019

Arising Out of PS. Case No.-471 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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SANTOSH KUMAR Son of Sri Jamun Prasad Resident of Village - Prasdih,
P.S.- Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Daya Shankar Son of Gauri Shankar Prasad Mehta Resident of Mohalla -
Bagbhup Singh Lane, P.O.- Guljarbagh, P.S.- Alamganj, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-11-2019 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 Complaint Case No. 471 of 2018 registered for
the offence punishable under Sections 420, 406, 323, 379 and
506 of the Indian Penal Code.

The allegation is regarding an agreement having been
entered by the complainant of this case with the petitioner
herein and it is alleged that the petitioner had taken some money
as sale consideration, however, no sale deed was executed by
him.

The learned counsel for the petitioner submits that the



petitioner denies the very signature alleged to have been made by him on the agreement for sale and if at all, any case is made out, the present dispute is of civil nature and the remedy of the complainant lies before the competent court of having original civil jurisdiction.

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 four 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 Sub-Judge-V-cum-Additional Chief Judicial Magistrate-V, Patna City, Patna in connection with Complaint Case No. 471 of 2018, 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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