

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11717 of 2020**

Arising Out of PS. Case No.-52 Year-2019 Thana- DELHA District- Gaya

Sanju Kumar Son of Shyam Sundar Prasad Resident of Village- Chotki Delha,
P.S.-Delha, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 17-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Delha P.S. Case No.52 of 2019, registered under sections 420, 406 and 506 of the of Indian Penal Code.

As per allegation in the F.I.R, it is stated that the informant and the petitioner entered into an agreement for sale of an immovable property of Rs. 38 lacs. It is stated that in spite of the informant paying sum of Rs.5 lacs by cheque and also taking a loan of Rs.30.4 lacs, the petitioner is not ready to execute the sale deed and has started making demand of Rs.10 lacs more. It is stated that he is neither executing the sale deed, nor is he returning the amount and instead he is threatening to



kill the informant.

It is submitted by learned counsel for the petitioner that from reading of the F.I.R together with the agreement for sale which is also part of the F.I.R. it could transpire that the dispute is purely civil in nature. It is further submitted that from the agreement for sale itself, it would be evident that the informant had violated the terms of the said agreement and the petitioner immediately thereafter had returned the amount of Rs.30.4 lacs which was credited in his account. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the contents of the F.I.R. and the agreement for sale together with the submissions made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Delha P.S. Case No. 52 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned A.C.J.M.VII,
Gaya, subject to the conditions as laid down in section 438 (2)
of the Cr.P.C.

(Partha Sarthy, J)

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