

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12654 of 2020

Arising Out of PS. Case No.-531 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Ambudheesh Parasar @ Abudhish Prasar @ Ambudheesh S/o Late Ambika Dutta Jha R/o 105- A, Ranjan Palace Magistrate Colony Aashiyana Digha Road, P.S.- Digha, Patna 800014

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kant Jha S/o Abhay Kant Jha R/o Saurath, P.S.- Rahika Dist. Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Mistry
For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-03-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with

Tr. No. 777 of 2019 arising out of C.R. Case No. 531 of 2019

for the offence under section 406 and 420 of the Indian Penal

Code.

Learned counsel for the petitioner submits that

petitioner has no criminal antecedent.

Allegation against this petitioner is that he took

money from the complainant for treatment of his father and

assured the complainant to give land by executing registered

sale deed. There is remedy under common law for specific



performance of the contract. The present case has been designed to pressurize the petitioner.

Considering the fact the petitioner has not executed the sale deed in terms of understanding between the parties and the fact that petitioner has no criminal antecedent, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of 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, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Madhubani, in connection with Tr. No. 777 of 2019 arising out of C.R. Case No. 531 of 2019 subject to the condition as laid down under section 438(2) of the Cr.P.C.

Grant of bail to the petitioner will not cause any prejudice to either parties in the matter of filing suit for specific performance of the contract.

(Anil Kumar Upadhyay, J)

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