

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26328 of 2020

Arising Out of PS. Case No.-839 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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SAUKHI @ SAUKHI PANDIT @ SOWKHI PANDIT Son of Late Raudi Pandit At present resident of Mohalla - Santra, Near Railway grid, Lakhisarai, Ward No. 13, P.S.- Lakhisarai, District - Lakhisarai. Permanent address - Resident of village - Jadopur, Gowasa Sheikhpura, P.S.- Pandarak, District - Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Dharmsheela Devi Wife of Nande Sao Resident of Village - Jadopur, Gowasa Sheikhpura, Post Office - Gowasa, Sheikhpura, P.S.- Pandarak, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2020 Heard Mr. Viveka Nand Singh, learned counsel for the petitioner and Mr. Raj Kishore Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with Complaint Case No. 839(C) of 2018 registered for the offences punishable under Sections 323, 406 and 504 of the Indian Penal Code, 1860.

The allegation as per the First Information Report is that the complainant paid a sum of Rs.71,000/- to the petitioner



for purchase of a piece of land, but the petitioner refused to register the land in favour of the complainant. It has further been alleged that the petitioner abused and assaulted the complainant with fists and slaps.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and even if the allegation against the petitioner in the complaint is taken on its face value, it gives rise to a civil dispute. Learned counsel further submits that the petitioner is 77 years old and the complainant, in order to grab the land of the petitioner, has lodged a false complaint case against him.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that petitioner is aged about 77 years, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Karunanidhi Prasad Arya, learned Judicial Magistrate, 1st Class, Barh, in connection with Complaint Case No. 839(C) of 2018, subject to the



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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