

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71580 of 2019**

Arising Out of PS. Case No.-1138 Year-2018 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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ANAND KUMAR JHA Son of Late Bhola Kant Jha Resident of Village -
Balha, P.S.- Bahera, District- Dharbanga

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ram Bilas Thakur Son of Late Baua Lal Thakur At present - Resident of
Manjaura, P.S.- Bahera, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bidhanesh Misra

For the Opposite Party/s : Mr.Pancha Nand Pandit

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 05-03-2020 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends arrest in connection with complaint
case no 1138 of 2018 instituted for the offence under Section(s)
420,467,468 and 504 of the Indian Penal Code.

Certain lands have been conveyed to the informant by the
accused No.2, namely, Vinay Kumar Jha, who is cousin brother
of the instant petitioner. The compensation amounts in respect
thereof is said to have been misappropriated by him. The
petitioner is one of the alleged beneficiaries of the same.

It is submitted by the petitioner's counsel that, at best, the
dispute is regarding entitlement to compensation amounts, for



which, the remedy lay before the Land Acquisition Authorities. The prosecution is, predominately, based on civil dispute. The petitioner has no criminal antecedents and the accused no.2, namely, Vinay Kumar Jha, has since been allowed anticipatory bail in Cr. Misc No. 68700 of 2019.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Darbhanga**, in connection with **complaint case no 1138 of 2018, corresponding to Trial No. 908 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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