

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82678 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- GOVINDGANJ District- East
Champaran

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SRI NARAYAN GIRI Son of Late Ramadhar Giri @ Late Ramawar Giri
Resident of Village - Nagdaha (Giri Tola), P.S. - Malahi, District - East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raju Giri S/O Sri Yogendra Giri Resident of Village - Nagdaha (Giri Tola),
P.S. - Malahi, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 18-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Govindganj(Malahi) P.S. Case No. 231 of 2019, disclosing the
offence under Sections 420, 406/34 of the Indian Penal Code.

On perusal of the FIR, it appears that the dispute
between the informant and the petitioner is in relation to
execution of sale-deed on alleged payment of the consideration
amount of Rs. 3,44,000=00 by the informant. It is alleged that
despite the fact that the informant had paid the consideration
amount, the persons named in the FIR have refused to execute
the sale-deed. They had issued cheques which stood
dishonoured

Learned counsel appearing on behalf of the informant



has vehemently opposed the prayer for bail.

It is the petitioner's case that apparently the nature of dispute is of civil nature and criminal case has been lodged for putting undue pressure on the accused persons.

Be that as it may, considering the nature of allegation, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in Govindganj (Malahi) P.S. Case No. 231 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

Rajesh/-

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(Chakradhari Sharan Singh, J)

