

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27462 of 2020

Arising Out of PS. Case No.-714 Year-2019 Thana- CHAPRA TOWN District- Saran

VINAY KUMAR Son of Avdhesh Singh Resident of Village - Chhota Telpa
(Rawal Tola), P.S.- Chapra Town, District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s :	Md. Mushtaque Alam, APP
For the Informant :	Mr. Yashraj Bardhan, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-01-2021 Heard learned Counsel for the petitioner, learned Counsel
for the informant and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner apprehends arrest in Chapra Town PS Case No. 714 of 2019 registered under Sections 420, 467, 468, 471, 504, 506 and 120B of the IPC.

The crux of the allegation made by the complainant is that in violation of earlier settlement or agreement, which was arrived at in course of some judicial proceedings, the petitioner has sold some land which do not belong to him.

Learned Counsel for the petitioner submits that the allegation is predominantly civil in nature. The compromise referred to by the informant was not signed by the petitioner and the petitioner has falsely been implicated to stake claim on the land which was rightfully sold by the petitioner. It is submitted that the



petitioner is on bail in other two cases referred to in the petitioner.

Learned Counsel for the informant and the learned APP for the State have opposed the prayer for anticipatory bail. It is submitted that two cases are pending against the petitioner since before. Further it is submitted that the petitioner was well aware of the agreement between the parties and in violation of the same sale has been executed by the petitioner.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, 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 CJM Saran at Chapra in Chapra Town PS Case No. 714 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also 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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