

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7020 of 2021

Arising Out of PS. Case No.-745 Year-2019 Thana- DANAPUR District- Patna

Ravi Shankar Sanket Shankar Resident Of Village-Shahpur, P.S.-Shahpur,
District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Vijay Kumar, Advocate
For the Opposite Party/s :	Mr. Bharat Lal, APP
For the Informant :	Mr. Jay Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-11-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Bharat Lal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Danapur P.S. Case No. 745 of 2019 registered for the offences punishable under Sections 323, 504, 420, 406, 120-B of the Indian Penal Code.

As per the prosecution story, the informant entered into an agreement for purchase of a land with co-accused Manbodh Yadav and after payment of entire consideration money i.e. Rs. 8,75,000/- the sale deed of the land in question



was executed in favour of the informant by the petitioner who is the land owner. It is alleged that when the informant went to the land in question then she did not find the land according to the boundary mentioned in the sale deed.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the present dispute seems to be a civil dispute and the petitioner being owner has executed the sale deed which he owned and possessed.

Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

Having heard learned counsel for the petitioner, learned counsel for the informant and Mr. Bharat Lal, learned APP for the State, this Court has noticed that the dispute between the parties seems to be *prima-facie* in the nature of a civil dispute, admittedly the land in question exists and the petitioner has not executed the sale deed for more than the area which he owned and possessed. Further it appears that pursuant to purchase of the land the informant had applied for mutation of the same in her name which has also been done, as per the report of the Amin about 742 square feet of land is presently



falling within the possession of one Ajit Kumar Upadhyay, in such circumstances, this Court deems it just and proper to direct that the petitioner above named in the event of his arrest or surrender within four weeks from today be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand/-) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur in connection with Danapur P.S. Case No. 745 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

