

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28325 of 2021**

Arising Out of PS. Case No.-143 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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ASHA BHARTI Wife of Late Ram Bilash Prasad Resident of Village- Gopi
Bigha, P.S.- Magadh Medical College, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Ranjan, Son of Rajballabh Singh, R/o Mohalla – Lakhibag,
Gulabbagh, P.S.- Mufassil, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shiva Shankar Sharma, Advocate
For the Opposite Party/s	:	Mr.Parmanand Kumar, APP
For the Informant	:	Mr.Pankaj Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 27-06-2022 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned APP for the State.

Petitioner is apprehending his arrest in connection with
Magadh Medical P.S. Case No.143 of 2020, registered u/s 420,
406, 120(B)/34 of the IPC.

Vide order dated 18.01.2022, petitioner was granted
provisional bail by a co-ordinate Bench of this Court. The
matter was also referred to the Mediation Centre, Patna High
Court but the mediation has failed.

Learned counsel for the petitioner submits that the
opposite party no.2 has filed a Title Suit No.844 of 2019 in the
Court of Civil Judge, Senior Division No.1, Gaya for specific



performance of contract.

Learned APP for the State as well as learned counsel for the opposite party no.2 opposed the bail application and submits that according to the terms of the agreement, petitioner has cheated the opposite party no.2, so sections 420, 406 and 120B and 34 of the IPC is made out against the petitioner.

Considering the aforesaid facts and circumstances, since the opposite party no.2 has already filed a Title Suit against the petitioner, the provisional bail granted to the petitioner vide order dated 18.01.2022, in connection with Magadh Medical P.S. Case No.143 of 2020, is hereby confirmed, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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