

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21203 of 2022

Arising Out of PS. Case No.-176 Year-2021 Thana- BACHHWARA District- Begusarai

1. Akhilesh Chaudhary @ Akhilesh Kumar Chaudhari Son Of Raj Kishore Chaudhary Resident of Village - Fateha, P.s.- Bachhwara, Distt.- Begusarai.
2. Ashwani Chaudhary @ Ashwini Kumar @ Ashvani Kumar Son Of Raj Kishore Chaudhary Resident of Village - Fateha, P.s.- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-09-2022 At the outset, learned counsel for petitioners seeks permission to withdraw the anticipatory bail application with respect to Ashwani Chaudhary @ Ashwini Kumar @ Ashvani Kumar, as he has already been arrested.

Permission is granted. The anticipatory bail application with respect to petitioner no. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 1 and learned counsel for the State.

The petitioner apprehends his arrest in Bachhwara P.S. Case No. 176 of 2021, registered for the offences punishable under Sections 406, 420, 504, 506, 34 of the Indian Penal Code.

As per the prosecution case, after taking consideration money of Rs. 5,91,000/- as an advance from the husband of



informant for executing sale deed of a piece of land in his favour and after death of husband of informant, petitioners refused to execute the sale deed in favour of informant.

It is submitted that entire allegation is false and concocted. Petitioner has neither received any amount nor participated in the negotiation regarding transfer of land. It is further submitted that no criminal offence is made out as, there is no agreement or any chit of paper which shows that petitioner has taken the aforesaid money for sale of land. Petitioner no. 1 has got clean antecedent.

Considering the facts aforesaid, Akhilesh Chaudhary @ Akhilesh Kumar Chaudhari petitioner no. 1, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 176 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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