

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23650 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- PIPRAHI District- Sheohar

UDAY KUMAR SINGH SON OF LATE BHOLA SINGH R/O VILLAGE-
AMBA OJHA TOLA, P.S.- PIPRAHI, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. SATYENDRA SINGH SON OF RAMRUP SINGH @ SRI RAMRUP
SINGH R/O VILLAGE- AMBAKALA, P.S.- PIPRAHI, DISTRICT-
SHEOHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhubala Verma, Adv
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1, APP Mr. Devendra Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2022 Heard the parties.

Learned counsel for the O.P. No.2 filed a counter affidavit
in the present case. Let the same be accepted and kept on record.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 406, 420/34 of Indian
Penal Code.

Allegedly, an agreement executed between the parties for
sale of the shop of the accused for an amount of Rs.5 lakhs and
he paid Rs.20,000/- as advance at the time of agreement and
again paid Rs.2 lakhs on 28.09.2019 and rest amount of



Rs.2,78,000/- was to be paid till Feb 2020 for registry of the shop in his favour. The complainant alleged that he paid total amount of Rs.3,54,900/- to the accused persons but they have not done the registry of the shop.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. He further submits that the petitioner is ready to return the amount of Rs.5,50,000/- to the O.P. No.2 within 10 weeks. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of ten weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Piprahi P.S. Case No.32 of 2021, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

However, the learned court below is directed to accept the bail bond of the petitioner after verifying the receipt of payment made to the complainant.

(Anjani Kumar Sharan, J)

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