

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41444 of 2021

Arising Out of PS. Case No.-750 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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SUNIL KUMAR Son of Late Harihar Prasad Resident of Village- Bhadrudih,
P.S.- Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umesh Kumar Son of Karu Prasad Resident of Village- Bhadrudih, P.S.-
Nagarnausa, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP
Mr.Manoj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 05-07-2022 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned Additional Public
Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 323, 379, 420,
120(B), 406 of the Indian Penal Code.

The allegation against the petitioner is that he along with



other accused persons surrounded the complainant and started abusing and beating him. Earlier complainant has given money to the petitioner for purchasing his land but he has not executed the sale deed nor has returned the money.

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. There is an admitted land dispute between the parties and it is submitted that the land is in the possession of petitioner and he is getting undue pressure from the informant to sell the land to the informant. For this reason, the petitioner has been implicated in this case. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the opposite party no.2 have opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the matter relates to a civil dispute, 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 six



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 connection with
Complaint Case No.750C/2019, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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