

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33174 of 2022**

Arising Out of PS. Case No.-4868 Year-2019 Thana- PATNA COMPLAINT CASE District-  
Patna

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Sanjeev Kumar Gupta Son Of Late Vishwanath Gupta Resident Of Village -  
Harivans Parvati Complex, Jamal Road, P.S.- Kotwali, Distt.- Patna At  
Present Flat No.303, Kalyani Complex, Exhibition Road, Near Lavb Kush  
Tower, P.S.- Gandhi Maidan, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjeev Ranjan

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      23-11-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner is apprehending his arrest in a case  
registered for the offences punishable under Sections 448,  
454 of the Indian Penal Code.

It is a case of criminal trespass in the house which  
belongs to the complainant.

It is submitted by learned counsel for the  
petitioner that petitioner is quite innocent and he has falsely  
been implicated in the present case. It is also submitted that  
Petitioner has executed an agreement in respect of flat in  
question, by the concerned bank, who is the borrower in



respect of flat in question in pursuance of the agreement between complainant and the petitioner and the complainant's husband has handed over the key of said flat to petitioner and after receiving the key, petitioner started living in the flat in question. It is further submitted that complaint was filed after inordinate delay of more than 2 years of the occurrence, for which there is no explanation.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub Judge IV-cum-Learned Additional Chief Judicial Magistrate IV, Patna in connection with Complaint Case No.4868(c) of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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