

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48679 of 2021**

Arising Out of PS. Case No.-140 Year-2021 Thana- ITARHI District- Buxar

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BRIJRAJ PANDEY @ BRAJ RAJ PANDEY Son of Brahmeshwar Pandey @
Barmeshwar Pandey Resident of Village- Itarhi, Police Station- Itarhi,
District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr. Arbind Kumar Pradhan

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 21-06-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 406, 420 and some
other allied Sections of the Indian Penal Code.

As per the prosecution case, the informant had
purchased a piece of land measuring 0.03 decimal from this
petitioner after paying Rs. 4,38,000/- out of which Rs.
2,38,000/- was paid in cash and Rs. 48,000/- had been paid on
the date of registry. Later on the informant came to know that
the land in question belonged to Ramjanki Math and, thus,
petitioner is alleged to have cheated the informant.

Learned counsel appearing for the petitioner submits
that land in question belonged to this petitioner and Jamabandi



is in the name of petitioner and his brother. It is submitted that petitioner is always ready to hand over the land to the informant in case she pay the dues amount of Rs. 2 lakh. Moreover, the dispute appears to be of civil nature. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Additional Chief Judicial Magistrate-IV, Buxar in connection with Itarhi PS case No. 140/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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