

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43655 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- BABUBARHI District- Madhubani

NAVKANT JHA Son of Kulanand Jha Resident of Village - Sarra, P.s.-
babubarahi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 379 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent, he is a senior citizen aged about 77 years and the informant alleges that he paid Rs. 3 lakhs for a land to the petitioner and came in possession of the said land but since he had paucity of fund as such he could not get the land registered, it is further alleged that after arranging money when he approached the petitioner for getting the land registered, he refused and even abused him and took out Rs. 10,000/- from his pocket.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, the dispute is purely civil in nature to which a criminal color has been given, it is next submitted that petitioner is aged about 77 years and has remained a person with clean antecedent and all of a sudden based on such frivolous allegation he has been made a criminal, it is also submitted that if what has been alleged is true then the informant has remedies available in civil law and the institution of the present FIR is nothing but an abuse of the process of the Court, it is also submitted allegation of taking out Rs. 10,000/- from the pocket of the informant is ornamental in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Babubarahi P.S.



Case No. 76 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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