

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56150 of 2019

Arising Out of PS. Case No.-569 Year-2009 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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HARENDRA RAI Son of Ram Ekbal Rai Resident of Village-Manua, Police
Station-Sadar Hajipur, District-Vaishali. Petitioner/s

Versus

1. The State of Bihar
2. Amod Kumar Thakur S/o- Sri Yogeshwar Thakur Resident of Village-
Mangmahi, Police Station-Gangabridge, District-Vaishali.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha
For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

10 04-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No. 569 of 2009 instituted for the offence
under Section 406 of the Indian Penal Code.

As per allegation in the FIR, petitioner had executed a
chunk of land to the complainant which land belongs to one
Surendra Tiwari by Title Suit No. 551 of 2004. A legal notice
dated 24.10.2008 was also sent to him to which he did not
respond.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner was having right title and possession over the alleged land and after execution of the land, complainant and his brother is enjoying the right title and possession over the said land. This case is civil in nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case no. 569 of 2009, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM XIII, Hajipur, Vaishali subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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