

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5176 of 2023

Arising Out of PS. Case No.-573 Year-2021 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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MD. RIZWAN Son of Late Kamrul Hoda R/V- Baghla Kamalpur, P.S-
Bishanpur, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalu Yadav son of Rajendra Yadav R/V- Dihlahi P.S- Bishanpur Dist-
Darbhanga 846003

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420 of the Indian Penal Code and 138 of N.I. Act.

3. Vide order dated 07.04.2023, notice was issued to the O.P. No.2 and as per the service report notice has been personally received by the O.P. No.2 but nobody appears on his behalf.

4. Allegedly, the petitioner executed land of others in favour of the complainant. Therefore, a Panchayat was organized and it was decided that the petitioner will return consideration money to the complainant. It is further alleged that the petitioner gave Rs.80,000/- to the complainant through cheque, which was dishonoured by the bank.

5. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that there is a civil dispute between the parties. He further submits that a compromise petition is also filed in the Court below. Petitioner has no criminal antecedent.

6. Learned APP for the State opposed the prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case as this is a case of civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his/her 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 C.R No.573 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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