

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22535 of 2023

Arising Out of PS. Case No.-978 Year-2022 Thana- SONEPUR District- Saran

SHYAM NAND SINGH @ SHYAM NARAYAN SINGH @ SHYAM SINGH, SON OF LATE SARYUG PRASAD SINGH, R/O VILL.- GOVINDHCHAK, P.S.- SONEPUR, DISTT.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned APP for the State of Bihar.

The petitioner is apprehending his arrest in connection with Sonepur P.S. Case No. 978 of 2022 registered under Sections 467, 468, 471, 420, 406, 379, 504, 506 and 34 of Indian Penal Code.

As per FIR, the allegation is that the informant has paid money to the petitioner by deposits in his bank accounts for purchasing certain lands on the basis of an agreement. Petitioner claims to be a worker of Agrani Home Real marketing company. It is alleged that having received the amount of money, the petitioner has not executed the sale deed for the lands in question and that he may sell the lands to some other persons.



It is submitted by learned counsel for the petitioner that the the allegations at best disclose civil dispute between the parties arising out of a land deal. In fact, the petitioner is victim and he is being coerced into part with his lands. The petitioner claims to be having no criminal antecedents. The prosecution is stated to be coercive.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and nature of allegations, which make out a dispute over land deal, as also the clean antecedents of the petitioner, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's prayer for anticipatory bail is allowed.

Accordingly, 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 bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Chapra, in connection with Sonepur P.S. Case No. 978 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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