

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23660 of 2022

Arising Out of PS. Case No.-615 Year-2019 Thana- COMPLAINT CASE District- Araria

DEEPAK KUMAR GUPTA Son of Late Rameshwar Gupta Resident of
Village - Om Nagar, Ward no.08, P.s.- Araria, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kundan Kumar Singh, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP
For the Complainant	:	Mr. Anil Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 06-07-2023 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

the complainant.

The petitioner apprehends his arrest in connection
with Complaint Case No.615(c)/2019, registered for the
offences punishable under Sections 406, 420, 467, 468, 471,
120-B and 34 of the Indian Penal Code.

It is alleged that petitioner, Deepak Kumar Gupta
came to the house of the complainant and told him that a piece
of land belonging to one Umesh Prasad Bhagat is available for
sale. It is further alleged that after seeing the plot, the
complainant made advance to the petitioner. On 15.03.2017 said
Umesh Prasad Bhagat and one Rajendra Kumar Bhagat came at



Registry Office, Araria and after receiving Rs.7,82,000/- out of the total consideration amount of Rs.8,82,000/-, Umesh Prasad Bhagat executed the sale deed in favour of the complainant and further they made an agreement that the rest amount, i.e., Rs.1,00,000/- will be paid to the landlord after mutation of land. When the complainant made online application for mutation of the land, he found that the land in question was less in measurement.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that due to previous enmity and land dispute, the petitioner is made accused in the instant case. It is submitted that petitioner has not committed any cheat or forgery with the complainant and the dispute between the parties is civil in nature.

Learned APP for the State and learned counsel for the complainant opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid and the fact dispute between the parties is civil in nature, let 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 bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No.615(c)/2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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