

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21947 of 2023

Arising Out of PS. Case No.-1705 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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MITHILESH CHAUDHARY S/O LATE VASUDEV CHAUDHARY R/O
Village- Badi Yusufpur, P.S- Industrial Area, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanjay Kumar S/O Late Ravindra Chaudhary R/O Village- Sahdullahpur,
P.S- Gangabridge, Distt.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar Singh
For the Opposite Party/s :	Mr. Suresh Prasad Singh
	Mr. Yugal Kishore

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner, learned counsel

for the complainant as well as learned Additional Public

Prosecutor for the State.

2. Vide order dated 27.06.2023, learned counsel for the

complainant was directed to file a detailed counter affidavit in

the present case, enclosing the sale deed which is deposited in

the registry office, but he has not complied the order dated

27.06.2023.

3. The petitioner apprehends his arrest in a case registered

for the offence punishable under Section 420 of the Indian Penal

Code.



4. The allegation against the petitioner is that after taking consideration amount from the complainant, did not executed the sale deed and fled away from the registry office.

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. There is no specific overt act against the petitioner. He submits that no agreement was made for sale of land between the petitioner and the complainant. He further submits that the matter is of civil nature of dispute. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

6. Learned APP for the State as well as learned counsel for the complainant 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, 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



Complaint Case No.1705 of 2020, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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