

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23617 of 2023

Arising Out of PS. Case No.-233 Year-2022 Thana- KATIHAR MUFFASIL District- Katihar

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AMAR NATH PRASAD @ PRADEEP @ AMARNATH PRASAD GUIDE
SON OF KISHAN PRASAD RESIDENT OF MOHALLA - BAGHWABRI,
P.S. - KATIHAR SAHAYAK, DISTT. - KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 471, 120(B), 34 of the Indian Penal Code.

The informant alleges that petitioner along with Sanjay got a sale deed executed in between the informant and Narain Mallick based on an agreement shown to the informant entered in between Narain and land owner Deepak with respect to a land on 13.12.2017 for a total consideration of Rs. 9,18,500/- out of which Rs. 5,00,000/- was paid to Narain by cheque and Rs. 3,63,000/- was paid in account of the father of Deepak and the sale deed was to be executed till 30.11.2020, it



is next alleged that Deepak executed the sale deed after taking extra amount, thus the informant alleges that Narain who had taken Rs. 5,00,000/- ought to have returned that amount as Deepak while executing the sale deed had taken an extra amount.

Learned counsel for the petitioner submits that the petitioner is a person with one antecedent.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that though the informant alleges that Deepak instituted the sale deed after taking an extra amount but then what extra amount was taken by Deepak is not disclosed in the FIR, it is next submitted that the dispute is purely civil but a criminal colour has been given.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Katihar Muffasil P.S. Case No. 233 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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