

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23762 of 2023

Arising Out of PS. Case No.-231 Year-2016 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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HARI NANDAN PRASAD Son of Late Triveni Prasad Resident of village -
Haripur, P.S.- Alauli, District - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raja Ram Sah Son of Late Badlu Sah Resident of village - Asurar Tola,
Morkahi, P.S.- Alauli, District - Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mrs.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-06-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a complaint case punishable for the offence under Sections 420, 423, 467, 468, 120(B), 323, 504 of the Indian Penal Code.

It is alleged that this petitioner cheated the complainant and sold the land to the complainant at Rs. 4,50,000/- without disclosing about the fact of previous sale. Later on, complainant came to know that said land was already gifted in favour of Mehi Das, Kupa Ghat, Satsang Bhawan by the father of the petitioner on 23.09.1994. It is further alleged that the sold land was never in the share of petitioner, rather it was in the share of brother of the petitioner.

Learned counsel for the petitioner submits that the dispute is purely of civil nature and complainant has already



filed a money suit, vide Money Suit No. 02/2016 in the court of learned Sub-Judge I, Khagaria, which is still pending. He further submits that petitioner got the aforesaid land in his share through partition suit by his father in his life time much earlier than 1994. Petitioner has got clean antecedent.

Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Complaint Case No. 231C of 2016 (Net No. 233 of 2016), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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