

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30819 of 2023

Arising Out of PS. Case No.-748 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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OMPRAKASH KUMAR SON OF RAJDEO YADAV Resident of Village-
Maharajganj, PS-Esangarsarai, Dist-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 406,
420 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and from bare
perusal of the allegations as alleged in the FIR, it would
manifest that the dispute is purely civil as an agreement was
entered in between the husband of the complainant and
Ashutosh with respect to a land of Harish Chandra Prasad for
which power was given to Ashutosh for selling. It is next
submitted that that in the agreement, petitioner was one of the
witnesses.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case being witness on the agreement, it is next submitted that one Sudhir who is alleged to have received Rs. 5 lacs has been granted the privilege of anticipatory bail by a learned Co-ordinate Bench by order dated 28.02.2023 in Cr. Misc. No. 69600 of 2022 and the case of the petitioner stands on a better footing.

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

6. 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 Complaint Case No. 748C of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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