

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40603 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- SHEKHPURA District- Sheikhpura

VACHASPATI MISHRA S/O RAMCHANDRA MISHRA R/O Village-
Tarcha, P.S- Sheikhpura, Distt.- Sheikhpura. At present Mohalla Karnveer
Susuwahi Varanasi, P.S- Lanka Varanasi, Distt.- Varanasi (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Dharmendra Kumar S/O Late Baleshwar Prasad R/O Village- Noawan, P.S-
Asthawan, Distt.- Nalanda, At present Mohalla Tinmohani More, P.S-
Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sheo Nandan Prasad
For the Opposite Party/s :	Mr. Ram Sevak Choudhary
	Mr. Sanjay Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 419, 420, 406 of the
Indian Penal Code.

3. Allegedly, the petitioner is said to have taken
consideration money from the informant in order to register a
land in his favour but did not executed the sale deed.

4. 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. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He submits that petitioner took Rs.13,50,000/- from the informant and he is ready to execute the sale deed only when the informant will be ready to pay the amount as per the agreement. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is a civil dispute between the parties, 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 Complain Sheikhpura P.S. Case No.99 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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