

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41595 of 2023

Arising Out of PS. Case No.-599 Year-2020 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

HARIVANSH PANDEY Son of Late Basudeo Pandey Resident of village -
Khairatiya, P.s. - Bettiah Muffasil (Manuapul O.P.), Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Biku Yadav Son of Sri Yogendra Yadav Resident of village - Mirza Tola, P.S.
- Bettiah Town (Kalibag O.P.), Distt. - West Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 07-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Trial No. 1940 of 2022 arising out of Complaint Case No.
599-C of 2020 registered for the offences punishable under
Sections 406 and 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and from perusal of
allegation as alleged in the complaint it would manifest that a
purely civil dispute has been given criminal color, it is next
submitted that if complainant is aggrieved by the fact that
petitioner did not execute sale deed with regard to the land for



which an agreement for sale was executed and the complainant was ready to pay the entire amount, in that event the complainant has remedies available in law to get the sale deed executed in terms of the agreement by moving before a competent court of civil jurisdiction.

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

5. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Trial No. 1940 of 2022 arising out of Complaint Case No. 599-C of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

