

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50345 of 2023

Arising Out of PS. Case No.-4964 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Brijnandan Singh Son Of Late Jalim Singh Village Jhitkahian Post Sahila
Balli District Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bipin Kumar Son Of Sri Heera Prasad Singh Resident Of Village- Dhimoe,
Ps- Harnaut, Dist- Nalanda, At Present Flat No. 248, Defence Colony
Kankarbagh, Ps- Kankarbagh, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-08-2023 Heard the learned counsel for the petitioner and the

State.

2. The petitioner seeks bail, apprehending his arrest,

in connection with Criminal Complaint Case No. 4964(C) of

2022, registered for the offences punishable under Sections 406,

420, 323 of the Indian Penal Code.

3. As per allegation, the petitioner has refused to

execute the sale deed in favour of the informant even after

taking an amount of Rs. 16,00000/-.

4. The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implemented in

this case. He further submits that as per the alleged facts and



circumstances, no offence is made out. He also submits that at most it is a civil dispute between the complainant and the accused.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated that the petitioner has no criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. ACJM-IV, Patna, District-Patna, in connection with Criminal Complaint Case No. 4964(C) of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the



learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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