

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46299 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- BARSOI District- Katihar

AMAR CHOUDHARY SON OF LATE BUDHU CHOUDHARY
RESIDENT OF VILLAGE- SARIBARI, CHOUNDI, PS- BARSOI, DIST-
KATIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha Mr. Rajiv Kumar Singh
For the Opposite Party/s	:	Mr. Satya Nand Shukla Mr. Bimal Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 420, 406, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, the informant entered into an agreement for sale of a piece of land amounting to Rs.51,75,000/- and the informant paid Rs.5,00,000/- as earnest money for which a document was prepared on non-judicial stamp. It is alleged that the petitioner took Rs.4000000/- for the purpose of executing the sale deed but later on denied to do the same.

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. The allegation of payment of Rs.4000000/- is entirely false and made-up, since no payment of such a huge amount was made to the petitioner. There is a civil dispute between the parties. 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 nature of 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 Barsoi P.S. Case No.50 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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