

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53639 of 2022

Arising Out of PS. Case No.-292 Year-2020 Thana- KAUWAKOL District- Nawada

SAGAR KUMAR @ SHAMBHU @ SAGAR BARNWAL Son of Late Vijay
Lal Barnwal Resident of Mohalla - Dharamshala Ghat, P.S.- Chowk, Distt.-
Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Kauwakol P.S. Case No. 292 of 2020 under sections 406,
419, 420, 471, 34 of the Indian Penal Code.

As per the prosecution story, the petitioner who is
cousin brother of the informant took away his mother who is
suffering from mental disease and in the garb of the treatment,
got the sale deed registered to the tune of Rs. 4,58,900/- through
two deeds. The amount never came to their account and the land
is estimated to be Rs. one crore.

Accordingly, the FIR.

Learned counsel for the petitioner submits that it is
the dispute between the family members i.e. father of the



informant and the father of the petitioner are own brother and sister and they wanted respective share in the ancestors land and in the process when the lady has executed the deed through her daughter's son (Nati), the present FIR.

The last submission is that similar situate others have been granted the privilege of anticipatory bail vide Cr. Misc. No. 6572 of 2021 on 20.12.2021.

Taking into account the fact that it is a kind of civil dispute between the brother and sister and the petitioner do not have any criminal antecedent and others similar situate have been granted anticipatory bail as stated above, this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-IV, Nawadah, in connection with Kauwakol P.S. Case No. 292 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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