

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56448 of 2023

Arising Out of PS. Case No.-3025 Year-2014 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Nirmala Mishra W/O Late Bishwanath Mishra R/O Village- Rajhata,
Binodpur, P.S.-KATIHAR, Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Parihar S/O Choudhary Parihar R/O Village- Bourni, P.S.-
DANDKHORA, Dist.- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Harish Chandra Patel
For the Opposite Party/s :	Mr. Mohammad Sufyan
:	Mr. Rajendra Prasad Sah

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 406 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, there is allegation against the petitioner that he has received the consideration money of Rs. 31,000/- from the execution of land but not executed the said land in favour of the complainant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the land belong to the father in law of the petitioner, who died and her husband also died, being widow, complainant force to execute the land without payment of the due consideration amount. He further submits that the petitioner is ready



to return the said amount i.e. Rs. 30,000/- to the complainant within eight months. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the complainant opposes for prayer for bail.

6. Considering the arguments of the parties and perusal of the record, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.3025/2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to accept the bail bond of the petitioner after verifying the fact that the petitioner return the aforesaid amount to the complainant within eight months.

(Anjani Kumar Sharan, J)

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