

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59884 of 2023

Arising Out of PS. Case No.-394 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Kamal Kishor Kumar, Son Of Sri Kangres Sah @ Kangres Saha Resident Of
Village- Raghunathpur, P.S.- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kailash Kumar Son Of Gajendra Sah Resident Of Village- Raghunathpur,
Ps- Sour Bazar, District- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Rashmi, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 11-10-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 394 of 2022 registered for the
offence(s) punishable under Section(s) 406, 420, 120(B) of the
Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner bonafidely sold
his land to the O.P. no. 2 and the main grievance of the opposite
party is that the *Jamabandi* in respect of his purchased land was
not done or created in his name, there is no dispute about the
petitioner's title in the land in question at the time of sell and the



allegation levelled against the petitioner is completely of a civil nature and the alleged offences of which cognizance has been taken by the court below are not made out against the petitioner.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the nature of allegation appearing against this petitioner, this court is inclined to accept his anticipatory bail prayer. Accordingly, 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 in connection with Complaint Case No. 394 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Rajiv/-

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