

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59948 of 2022

Arising Out of PS. Case No.-227 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SURENDRA KUMAR PATEL @ PINTU Son of Late Mahavir Singh @ Mahaveer Patel R/v- Ghasikatra, P.S.- Tiwaripur, District- Gorakhpur (U.P.), at present residing at village- Bhelah, P.S.- Patnwa, District- East Champaran (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. ASHA DEVI Wife of Rajeshwar Prasad R/v- Bhelahi, P.S.- Palanwa, District- East Champaran (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dineshwar Pandey, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-03-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a complaint case punishable for the offence under Sections 341, 323, 379, 420, 504 and 120B of the Indian Penal Code.

As per allegation, this petitioner executed a sale-deed in respect of a piece of land in favour of the complainant claiming it to be acquired by him from his maternal grandmother on the basis of a deed of will and he concealed the fact that probate has not yet been granted, whereas other co-accused persons are alleged to assaulted the complainant and snatched her ornaments, when she went to complain.



It is submitted on behalf of petitioner that the dispute is civil in nature. Both parties are *pattidars*. The present complaint has been lodged after a delay of more than seven years. Other similarly situated co-accused have already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 17.01.2023 passed in Cr.Misc. No. 50934 of 2022. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Raxaul, Motihari, East Champaran in connection with Trial No. 1661 of 2021, arising out of Complaint Case No. 227 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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