

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78276 of 2023

Arising Out of PS. Case No.-515 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Sharvesh Kumar Son of Awdesb Singh Resident of Village - Narsinghauli,
Police Station - Birpur, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
		Mr. Mayank Raj, Adv.
For the State	:	Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard Mr. Ramakant Sharma, learned senior counsel assisted by Mr. Mayank Raj for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Lakhisarai P.S. Case No. 515 of 2023 instituted for the offences under Sections 420 and 406 of the Indian Penal Code.

3. The prosecution case, in short, is that on 05.06.2020, one Sarvesh Kumar had taken Rs. 12 lacs from the Informant in installments in writing on stamp paper to sell his house at the price of Rs. 17 lacs. It is alleged that when the Informant asked the accused to execute the sale deed in his favour, Sarvesh Kumar abused the Informant and told that neither he would execute the sale deed with respect to his house



nor would return his money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is a case and counter case between the parties. He further submits that the nature of dispute is civil and thus, the Informant was to file the case under the specific performance of contract rather he has filed the present criminal case.

5. The petitioner is in custody since 12.07.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the nature of dispute which is civil in nature as also the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhisarai P.S. case No. 515 of 2023.

(Rudra Prakash Mishra, J)

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