

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79662 of 2023

Arising Out of PS. Case No.-377 Year-2022 Thana- BODHGAYA District- Gaya

Nityanand Kumar S/O Krishnadeo Prasad R/O Village- Suryapura, Ps.
Bodhgaya, Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the petitioner and his father took Rs. 3,05,000/- from the informant for execution of sale deed in favour of the informant but they did not executed the sale deed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits there is no specific overt act against the petitioner. He further submits that the petitioner is not aware regarding the character



of the informant and he had fallen into the dirty net of the informant by entering into a contact on 06.02.2021 by which the father of the petitioner accepted for sale of 79 decimal of land within a period of 11 months for the rate of 5 lakh per kattha, a copy of the agreement is enclosed as Annexure-2 to this application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that it is a civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bodgaya P.S. Case No. 377 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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