

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22697 of 2024

Arising Out of PS. Case No.-1103 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Amit Rai Son of Late Dhrup Rai, Resident of Village- Siswaniya, PS-
Sugauli, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pramod Kumar Sharma Son of Late Girdhari Lal Sharma, Village- Sugauli
Bazar Marwaripatti, Ward No. 8, PS- Sugauli, Distt- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No.1103 of 2023 instituted under Sections
406 and 465 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
petitioner is that he in connivance with other co-accused persons
purchased the part of undivided residential house which belongs
to the complainant and others.

4. Learned counsel for the petitioner submits that the
vendor Shakuntala Devi has five daughters having no son and
she has sold the land of her share but the complainant wanted to
grab her land and falsely implicated the petitioner by filing



complaint case. He further submits that the complainant wanted to settle the civil dispute by filing the complaint case with ulterior motive to pressurize the petitioner. The petitioner is a bonafide purchaser and is not involved in the offense as alleged. The petitioner has one criminal antecedent in which he is on bail. The petitioner undertakes to cooperate in early disposal of the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Trial No.2339 of 2023 arising out of Complaint Case No.1103 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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