

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35521 of 2024

Arising Out of PS. Case No.-1632 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Sanjay Mandal S/o Suresh Prasad Mandal R/o Village Sahabad PS
Sultanganj, Distt. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjana Devi W/o Manoj Kumar R/o Village Sahabad, PS Sultanganj, Dist -
Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manoj Kumar Jha, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For Opposite Party No.2	:	Mr. Subodh Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

3. As per prosecution case, pursuant to an agreement, this petitioner had taken Rs. 6,90,000/- from the complainant to execute a sale deed in favour of the complainant but failed to do so. It is further alleged that when the complainant demanded the money, he also refused to return the same.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from bare perusal of the complaint



petition it is apparent that dispute between the parties relates to sale and purchase of land, which is purely civil in nature. Petitioner has not received a single farthing from the complainant. It is further submitted that in the entire compliant petition, not a single chit of paper has been produced in support of the allegations. As a matter of fact, petitioner never entered into any agreement with the complainant. From bare perusal of the complaint petition it is apparent that petitioner is not the owner of the land which was to be purchased by the complainant. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of dispute between the parties and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight 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 JM 1st Class, Bhagalpur, in connection with Complaint Case No. 1632 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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