

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37982 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- PUNAURA District- Sitamarhi

Manoj Kumar @ Manoj Thakur @ Manoj Kumar Thakur Son of Late Gopal Thakur Resident of Village- Raghapur Bakhari, P.S-Punaura, Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumar Vimal Son of Hari Shankar Prasad Resident of Village- Raghapur Bakhari, P.S- Panaura, Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2024 1. 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 offence punishable under Sections 406, 420, 467 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that in sum and substance the informant alleges that he entered into an



agreement for sale with the petitioner and his brother for purchasing a piece of land which they had offered and the agreement for sale was signed by the petitioner and witnesses but the petitioner later refused to execute the sale deed. The learned counsel submits that though in the F.I.R., it is alleged that a Mahadnama was executed but then the same was not given to the police at the time of institution of the instant F.I.R. It is specifically asserted and submitted that petitioner never signed any Mahadnama (agreement for sale). It is further submitted that even presuming what has been alleged is true without admitting in that event the informant has a remedy of approaching a court of competent civil jurisdiction.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Punaura



P.S Case No.143/2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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