

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44728 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- BAIRIYA District- West Champaran

DEENDAYAL CHAUDHARY @ DINDAYAL CHAUDHARI S/O LATE
DUKHAN CHAUDHARY R/O VILLAGE- MALAHI TOLA, P.S-
BAIRIYA, DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANIL SAH S/O NAGINA SAH R/O VILLAGE- MALAHI TOLA, P.S-
BAIRIYA, DISTT.- WEST CHAMPARAN.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 341, 379, 406, 420, 506, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, this petitioner received Rs. 2,50,000/- from the informant as consideration money for selling his land in favour of informant out of which this petitioner returned Rs. 30,000/- to the informant and thereafter, neither executed the sale deed nor refunded the consideration



money.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from bare perusal of the F.I.R. it is apparent that dispute between the parties is purely civil in nature and none of the acts allegedly committed by this petitioner would give rise to any criminal liability. It is further submitted that this case has been lodged after extra ordinary delay of 10 years, after expiry of period of limitation for filing money suit. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of dispute between the parties, delay in lodging of present F.I.R. 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 six 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 C.J.M., Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 126 of 2023, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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