

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43934 of 2024

Arising Out of PS. Case No.-1170 Year-2022 Thana- KHAGARIA District- Khagaria

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Umesh Kumar Das Son of Late Saryug Das R/O VILLAGE- SANHAULI,
WARD NO. 13, P.S.- CHITRAGUPTA NAGAR, DIST.- KHAGARIA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rahul Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 420, 467, 468 , 471 and 120(B) of the Indian Penal Code .

3. As per the prosecution case , despite receiving the part consideration money pursuant to an agreement, petitioner refused to execute sale deed in favour of the complainant and also failed to return them.

4. Learned counsel for the petitioner submits that dispute involved in the complaint petition is of civil nature and none of the acts allegedly committed by the petitioner would



amount to criminal liability. However, at this stage without admitting the guilt petitioner is ready to pay the alleged amount of **Rs. 50,000/- (fifty thousand)** in easy installments in the Court below .

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 CJM , Khagaria in connection with Khagaria Chitragupta Nagar P. S. Case No. 1170 of 2022 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioner shall refund Rs. 25,000/- /- (twenty five thousand) through Bank Draft/cash in the Nazarat of Civil Court, Khagaria at the time of furnishing bail-bond.

(ii) The petitioner shall refund the rest amount i.e., Rs. 25,000/- (twenty five thousand) through Bank Draft/cash in the Nazarat of Civil Court, Khagaria within a period of one month from the date of furnishing bail-bond.

(iii) The aforesaid payment shall be subject to the final outcome of the case .



(iv) If petitioner does not abide by the aforesaid directions, the learned Court below is at liberty to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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