

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43643 of 2024

Arising Out of PS. Case No.-317 Year-2023 Thana- KARAKAT District- Rohtas

Vimlesh Kumar Pathak @ Bimlesh Kumar Pathak Son of Late Shyam Kishore Pathak Resident of Village- Motha, P.S.- Karakat,(Gorari), District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Pandey, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP
For the Informant	:	Mr. Arbind Nath Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, this petitioner entered into an agreement with the informant for sale of property. Thereafter, despite receiving part consideration money in advance pursuant to the agreement, this petitioner did not registered the sale deed and also refused to return the money.

4. It is submitted by learned counsel appearing on behalf of the petitioner that informant is none other than own elder brother of this petitioner and due to petty dispute, this false and concocted case has been lodged. It is further submitted that



from bare perusal of the F.I.R. it is apparent that dispute between the parties is civil in nature and none of the acts allegedly committed by this petitioner would amount to any criminal liability. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation 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 Additional Chief Judicial Magistrate, Bikramganj (Rohtas), in connection with Karakat P.S. Case No. 317 of 2023 arising out of Complaint Case No. 708 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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