

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67107 of 2024

Arising Out of PS. Case No.-353 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Dayanand Giri Son of Shivnarayan Giri Resident of Village- Taregna Math,
P.O and P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Binod Prasad Son of Late Ghamandi Prasad Village- Raja Bigha, Ps-
Dhanarua, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 21-10-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 353C of 2022, disclosing offences under Sections 420/504 of the Indian Penal Code.3. As per the complaint case, it has been alleged that the petitioner requested the complainant to give a sum of Rs. 4.50 Lakh with assurance that the same would be returned in a month. It has further been stated that for the money which was given to the petitioner by the complainant on 29.05.2017, an agreement was executed on non-judicial stamp paper and when the complainant demanded the |
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money back, the petitioner returned a sum of Rs. 1.90 Lakh and he assured to return the rest amount, however, despite several requests the money was not returned.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of concocted story. The petitioner had sold 3.125 decimals of land to the complainant, bearing Khata No. 431, Khesra No. 1863, situated at Mauza Abdulah Nagar, Nateгна on 23.03.2017 for a consideration amount of Rs. 4.38 Lakh. He further submits that the allegation made in the complaint at best raises civil dispute regarding money transaction.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the dispute relates to money transaction, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount



each to the satisfaction of learned Sub-Divisional Judicial
Magistrate, Masaurhi, in connection with Complaint Case
No. 353 C of 2022, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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