

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74207 of 2024

Arising Out of PS. Case No.-93 Year-2016 Thana- VAISHALI District- Vaishali

Raj Kishor Ojha S/O Shiv Dajal Ojha R/O Village - Jarangi , P. S - Vaishali
(O. P. Belsar) District - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hari Shankar Ojha S/O Late Bam Bahadur Ojha R/O- Village- Jarangi P.S.-
Vaishali (O.P.) Belsar, District-Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar, Adv
For the APP	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Navin Kumar Pandey, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-10-2024 Heard learned counsels for the parties.

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

3. As per the FIR, the informant deposited Rupees Seventy Thousand in cash and Rs.4,50,000/- by cheque in the account of one Mrityunjay Kumar Ojha for the execution of sale deed in his favour. Allegedly, the informant came to know that the deed of the said land was done by Mithilesh Kumar Ojha in favour of the petitioner. After that the informant demanded his money but all the accused persons refused to return his money.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. There is no specific overt act against the petitioner. The informant and petitioner are co-villagers. Petitioner has paid full consideration amount to Mithlesh Kumar Ojha for the execution of sale deed. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, since this is a case of civil nature, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Vaishali P.S. Case No.93 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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