

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81005 of 2023

Arising Out of PS. Case No.-1693 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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SANJAY KUMAR SINGH Son of Late Suryanath Singh Resident of Village -
Araura, P.S.- Udwant Nagar, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrendra Tiwary S/O Sri Ram Kumar Tiwary R/O Village- Maghiyan, P.S-
Charpokari, Distt.- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Raju Kumar Singh, Advocate
For the State	:	Mr. Anil Prasad Singh, APP
For Opposite Party No.2	:	Mr. Sunit Kr. Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 406, 420, 323, 324, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, in spite of taking the consideration money in advance, this petitioner refused to execute the sale deed in favour of the complainant.

4. The petitioner denies the allegations and submits that he has already returned the entire amount to the complainant. It is further submitted that it is purely a civil dispute, for which the complainant has got remedy to file money suit before the competent court and recover the amount. No



criminal dishonest intention has been shown from the very beginning of the transaction and as such, no criminal offence is made out. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of dispute 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 Judicial Magistrate 1st Class, Bhojpur at Ara, in connection with Complaint Case No.1693 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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