

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85946 of 2023

Arising Out of PS. Case No.-332 Year-2016 Thana- KATIHAR NAGAR District- Katihar

TUNTUN KUMAR SINGH S/O UMANATH SINGH R/ VILLAGE- SIRSA
(DALAN), P.S- MUFFASIL, DISTT.- KATIHAR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SOFIA JAVED W/O EJAZ AHMAD, D/O JAVED AHMED R/O
VILLAGE- PANJIPARA, P.S- GUWAL POKHAR, DISTT.- UTTAR
DINAJPUR, AT PRESENT RESIDING WITH HER HUSBAND AT
SAHEBPURA RAILWAY Q.NO. 753/B, P.S AND DISTT.- KATIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Md Musowir, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For Opposite Party No.2	:	Mr. Bipin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 11-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 420, 467, 471, 323, 506 and 120B of the Indian Penal Code.

3. As per prosecution case, the informant purchased an area of 8 decimal and 8 kari land of R.S. Plot No. 4746, Khata No. 303 from this petitioner after paying condieration amount of Rs. 20,00,000/-. However, thereafter, the informant came to know that the land sold to him does not belong to this



petitioner and thus he was cheated.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the dispute between the parties is with respect to sale and purchase of land, for which the informant has got alternative remedies. The acts allegedly committed by this petitioner does not amount to any criminal liability. There is no accusation of any overt act against this petitioner. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of dispute between the parties 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 C.J.M., Katihar, in connection with Katihar (N) P.S. Case No. 332 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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