

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18499 of 2015

Arising Out of PS.Case No. -149 Year- 2013 Thana -BAIKUNTHPUR District- GOPALGANJ

Suresh Prasad, Son of Late Krishna Prasad, Resident of Village- Hamidpur,
P.S.- Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghulam Rabbani

For the Opposite Party/s : Mr. Arvind Kr.Pandey(App)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-07-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Baikunthpur P.S. Case No. 149 of 2013 registered under
Sections 420, 406, 467, 468 and 471 of the Indian Penal Code.

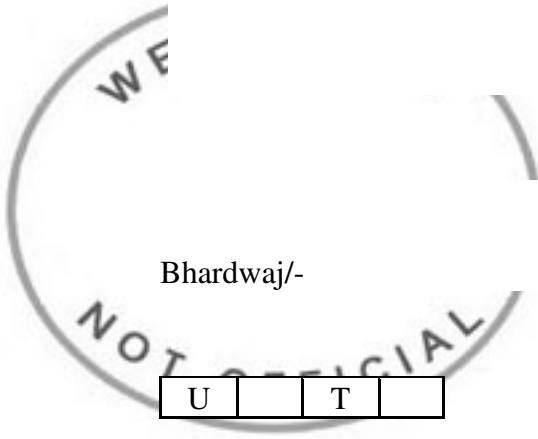
The allegation of complainant, Renu Devi, is that her
father-in-law, Ram Paras Prasad, sold the land of his share of
Khata No. 163, Survey Plot No. 712, area 7 Katha on 10.01.2013
for his treatment and other expenses. His other son, Birendra
Prasad exchanged 1 Katha 17 dhurs land from the purchased land
of the informant on 11.02.2013 by execution of registered deed
with the petitioner's land and the petitioner has sold his land

alongwith the exchanged land to the other co-accused.

Learned counsel for the petitioner submits that it would appear from the complaint petition that complainant, Renu Devi, is the wife of brother of co-accused, Birendra Prasad, in the year 2011 and in presence of the Punch, the land of Ram Paras Prasad, father-in-law of the complainant was partitioned in between him and his two sons in which Ram Paras Prasad was given 4.5 Kthas land for his maintenance with condition that he will not sell the same and rest land of Khata No. 163 was divided in between the Birendra Kumar and Manoj Kumar, husband of the complainant. Moreover in the said plot co-accused, Birendra Kumar has his own share, who has exchanged 1 Katha 17 Dhoor to the petitioner for 2 Katha 17 Dhoor, as such, petitioner has falsely been implicated in this case due to enmity between husband of the complainant and his brother, Birendra Kumar. .

Considering the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur P.S. Case No. 149 of

2013, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.



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(Rajendra Kumar Mishra, J)