

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41311 of 2014**

Arising Out of PS.Case No. -1469 Year- 2013 Thana -COMPLAINT CASE District- JAMUI

Bambam Mandal

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. P.K.Choursiya-(A.P.P.)

**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

02 04-03-2015

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor.

Land which had already been sold away by the father  
of the petitioner in favour of Baleshwar Mandal was re-conveyed  
by the petitioner in favour of complainant on 27.07.2011 for  
which, instant prosecution has been launched on 25.09.2013.

It has been submitted on behalf of petitioner that  
from perusal of the complaint petition, it is manifest that  
complainant knowingly, intentionally withheld the subsequent  
event in between 2011 to 2013 and further only to coerce the  
petitioner has filed instant case. Furthermore, it is also apparent  
from the complaint petition itself that his father had sold away the  
land showing him a minor and in the aforesaid background, the  
subsequent event whereunder land has been sold in favour of

complainant, is ultimately fit to be adjudged under proper civil suit. Apart from this, it is also apparent from the complaint petition that petitioner had not offered nor deceived the complainant.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

In the facts and circumstances of the case, petitioner **Bambam Mandal** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shyamal Kumar, Judicial Magistrate, 1<sup>st</sup> Class, Jamui/ successor in office in connection with Complaint Case no.1469C of 2013, in terms of condition laid down under Section 438(2) of the Cr.P.C. in event of his arrest or surrender within four weeks from today.

(Aditya Kumar Trivedi, J)

Vikash/-

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