

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40047 of 2017

Arising Out of PS.Case No. -474 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

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1. Lalu Prasad @ Lallu Prasad son of Satya Narain Prasad resident of Moh.-
Babu Bazar, Police Station - Ara Town, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ashok Kumar son of Late Parmeshwar Prasad Resident of Purani Adalat,
Police Station - Ara Nagar, District - Bhojpur.

.... Opposite Party/s

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Appearance :

For the petitioner : Mr. Devendra Kumar Singh
For the Opposite Party/s : Mr. Sri Ram Sumiran Roy
For opposite party no. 2 : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-08-2017 The petitioner seeks regular bail in connection with Ara
Town P.S. Case No. 474 of 2016, registered for offences
punishable under Sections 406, 420, 323 and 504 of the Indian
Penal Code.

Allegation against the petitioner is of taking an amount of
Rs. Thirty lakhs from the informant in lieu of execution of sale
deed with respect to ten kathas of land in favour of the informant,
however, he neither executed the sale deed nor returned the
money.

It has been submitted on behalf of the petitioner that out
and out false allegation has been levelled with a view to grab the
land of petitioner and no such agreement has ever been made and



the informant has never given any amount to the petitioner. Further the agreement, which has been shown in this case does not bear the signature of the petitioner.

Heard learned counsel for the State as well as learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case and nature of allegation, this application is disposed of with direction to the court below to get the signature/ handwriting of petitioner verified by a handwriting expert within a period of three months, and after receipt of report, it is found that the agreement does not bear the signature in handwriting of the petitioner, he will release the petitioner on bail to his own satisfaction, otherwise, he is free to pass any order/order as he deems fit and proper.

Needless to say both the parties have to cooperate the Court.

(Vinod Kumar Sinha, J)

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