

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34716 of 2017

Arising Out of PS.Case No. -1954 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sanket Kumar son of Madheshwar Sharma resident of village - Simra
P.S. - Janipur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rameshwar Sharma son of late Tihadhari Singh resident of village -
Simra, P.S. - Janipur, District Patna at present resident of Mahmadpur P.S. -
Phulwarisharif, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh
For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 14-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
25.04.2017 in connection with Complaint Case No. 1954/2015
for offences punishable under Sections 419, 468, 471, 120-B of
the Indian Penal Code.

The complaint case, as lodged by the complainant, is
that he got 27.5 decimals of land as per partition between the
brothers in the year 1975-76. Allegation upon the petitioner is
that being the husband of one Lalita Devi @ Lilawati Devi
along with other co-accused Shiv Kumar was witness to the said



sale deed.

It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case just because he is the husband of Lalita Devi @ Lilawati Devi. He submits that the matter relates to property dispute for which Title Suit No. 318/2015 has been filed by the complainant for declaration of sale as null and void.

However, learned counsel for the complainant vehemently opposes the prayer for bail stating therein that wife of the petitioner has shown the complainant as her dead husband, which was with a criminal intention and the petitioner was also party to the said criminal conspiracy being the witness of the said sale deed.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Complainant Case No. 1954/2015, pending the in court of learned Judicial Magistrate, 1st Class, Patna.



Application is, accordingly, rejected. However, petitioner may renew his prayer for bail after six months.

(Nilu Agrawal, J)

Rajesh/-

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