

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25321 of 2017

Arising Out of PS.Case No. -317 Year- 2016 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Jitendra Prasad, Son of Mundrika Prasad, resident of village- Pachrukhiya,
P.S.- Kako, District- Jehanabad.

.... Petitioner

Versus

1. The State of Bihar.

2. Bihari Yadav, Son of late Balchand Yadav, resident of Math
Bhagwanpur, P.S.- Makhdumpur, District- Jahanabad.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-07-2017

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 317 of 2016 in which cognizance has
been taken for the offences punishable under Sections 420, 406,
467, 468 and 523/34 of the Indian Penal Code.

It is stated by the learned counsel for the petitioner
that the petitioner is a bona fide purchaser of Khata No.398,
Plot No.1540 admeasuring area 4.5 decimal from Most.



Dhankueri Devi and Sumanti Devi and he had sold the land being the rightful owner. It is submitted that it was agreed between the parties for executing the land being Khata No.398, Plot No.1540 admeasuring area 4.5 decimal vide sale deed dated 07.07.1995 but by mistake it was entered as Khata No. 399, Plot No.1485 admeasuring area 4.5 decimal. He stated that after executing the sale deed within short span of time, the purchasers and the petitioner came to know that the area of the land is correct but the khata and khesra number has been wrongly mentioned in sale deed dated 08.01.2013, which was duly communicated to Sumanti Devi (Mausi of complainant) as Dhankuri Devi had already died.

On the other hand, learned counsel for the complainant submitted that the land of the complainant has been sold by the petitioner to Dilip Kumar and Suraj Kumar.

Be that as it may, regard being had to the nature of allegation, the above named petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Complaint Case No. 317 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P. C., in the event of arrest



or surrender within a period of six weeks from today.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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