

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85036 of 2019**

Arising Out of PS. Case No.-293 Year-2019 Thana- RAJGIR District- Nalanda

PRIYA RANJAN KUMAR @ MANAS PRAKASH Son of Sri Ram Chandra Prasad @ Ram Nandan Prasad Resident of Village - Dawai Bigha, P.S.- Ben, Distt - Nalanda. At present- 605/C, Bishnupuri Marg, Bardhman Coumpound, PS Ranchi G.P.O., District- Ranchi (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                               |
|----------------------------|---|---------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Ajay Kumar Thakur<br>Ms. Babita Kumari<br>Mr. Arya Achint |
| For the Opposite Party/s : |   | Mr.Dr.Mrityunjaya Kr.Gautam APP                               |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      17-01-2020                      Heard learned Counsel for the petitioner and the learned APP for the State.

The petitioner, who is in custody, seeks bail in a case registered under Sections 420, 406, 467, 468, 471 and 120B of the Indian Penal Code in connection with Rajgir PS Case No. 293 of 2019.

Case of the prosecution is that the informant purchased some land from petitioner's mother. Subsequently the informant has been told by one Ramnandan Prasad that the lady who has sold the land to the informant namely Rekha Sinha is not his wife. The informant alleges that he has been informed that one Vivek @ Karu who was working under the said



Ramnandan Prasad had taken copy of land documents and used the same along with Rekha Sinha for sale of land to the informant and various other persons. On such information received from Ramnandan Prasad the prosecution has been instituted by the informant.

Learned Counsel appearing for the petitioner submits that the executant of the deed is mother of the petitioner. It is further submitted that from the allegations in the FIR a charge of civil cause of action would arise in favour of the informant. The petitioner is in custody since 2.9.2019. Charge-sheet has also been submitted. He is already on bail in Rajgir PS Case No. 282 of 2019.

Learned APP has opposed the prayer for bail. It is submitted that the offence would constitute both civil as well as criminal wrong. The recourse to criminal proceeding is fully justified in view of the allegations made in the FIR.

Considering the rival submissions prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Bihar Sharif in Rajgir PS Case No. 293 of 2019



subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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