

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.83216 of 2019**

Arising Out of PS. Case No.-905 Year-2017 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

=====

Kumar Prabhakar @ Prabhakar Singh, (Director D' PRO FOUNDATION  
PVT. LTD), S/o Ashok Kumar Singh R/o Mohalla- G.C. Banerjee Lane,  
Mundhichak, P.S.- Tilkamanjhi, District- Bhagalpur, Bihar

... .. Petitioner

Versus

1. The State of Bihar
2. Kamal Nayan Prasad S/o Ranjan Mandal Resident of Chauki Niyatpur, Kali  
Sthan Lane, P.S.- Nathnagar, District- Bhagalpur

... .. Opposite Parties

=====

**Appearance :**

For the Petitioner/s : Mr.Abhishek Krishna Gupta

For the Opposite Party/s : Mr.Umeshanand Pandit

=====

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

5      19-03-2020                      A Supplementary affidavit has been filed on behalf of  
petitioner, let it be taken on the record.

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

Petitioner is in custody since 16.05.2019 and seeks  
bail in connection with Kotwali (Jogshar) P. S. Case No.905 of  
2017 registered for the offences punishable under Sections 419,  
420, 467, 468, 471 of the I.P.C.



The accusation against the petitioner is that he executed registered sale deed in respect of Khata No.423, Khesra No.5789 of village-Puraini, District- Bhagalpur in favour of informant on 06.04.2015, but subsequently, when informant went for mutation, he was informed that the petitioner had no valid title over the said land.

Learned counsel appearing for the petitioner submits that even if prosecution story assumed to be true, then also it is a case of civil nature and moreover, the informant has already got mutated his land, which is evident from annexure attached with the supplementary affidavit.

Learned counsel for the petitioner further submits that so far allegation of selling of some lands to other persons is concerned, the aforesaid plot is a big plot having more than 17 decimal area and only part of the aforesaid plot was purchased by the informant.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. Shailesh Kumar Ram, learned 1<sup>st</sup> Class, Judicial Magistrate-V, Bhagalpur/ successor Court in



connection with Kotwali (Jogshar) P. S. Case No.905 of 2017.

**(Hemant Kumar Srivastava, J)**

vikash

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

