

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6354 of 2020

Arising Out of PS. Case No.-2205 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Pramod Kumar Son of Late Kanti Singh Resident of Village-Lodipur, Police
Station-Bind, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arvind Kumar Singh Son of Mundrika Singh Resident of Village, P.O and
P.S-Maner, District-Patna, at present R/o Mohalla-Bans Kothi Balu Par, P.S-
Digha, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-06-2020 The matter has been taken up through virtual

Court proceeding.

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner is languishing in jail since 21.1.2019 in a

Complaint case wherein process has been directed to be

issued after cognizance being taken for the offences

punishable under Sections 420, 467, 468, 471 and 120B of

the IPC.

The complainant has alleged that the petitioner is his

brother-in-law (Sala). Both the petitioner and the

complainant jointly purchased one katha of the land at



Kumhrar (Patna). The sale deed was registered on 07.10.1996 at Kolkata but subsequently the petitioner by impersonating the complainant transferred the said land through registered sale deed in favour of one Satyendra Kumar. This sale deed was registered at Patna Sadar Registry Office.

It appears that the notices were issued to the complainant vide order dated 04.02.2020 but the office notes dated 30.05.2020 reflects that the notices could not be served upon the complainant due to incomplete address. Considering the fact that the Court is not functioning in physical mode due to present pandemic COVID-19, this Court is disposing of this application on merits.

It is submitted by learned counsel for the petitioner that the petitioner admits that he has transferred the land in question in favour of Satyendra Kumar and he is ready to return the amount to the complainant.

Learned APP submits that the thrust of accusation is against the petitioner.

Considering the nature of accusation and the stand of the petitioner, let the petitioner above named be released on bail provisionally for a period of three months on



furnishing one surety to the satisfaction of the learned Sub Judge-XIV-cum-Additional Chief Judicial Magistrate-XIV, Patna in connection with Complaint Case No.2205 (c) of 2017.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The learned Court below will issue notice to the complainant and on his appearance, the learned Court below will try to get the issue mediated. The provisional bail of the petitioner will be confirmed by the learned Court below within three months on the issue being resolved on making payment by the petitioner to the complainant on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-XIV-cum-Additional Chief Judicial Magistrate-XIV, Patna including one surety given at the time of provisional bail.



The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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