

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22317 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- GADHPURA District- Begusarai

TETAR YADAV Son of Late Khattar Yadav Resident of Village- Manikpur,
P.S.- Gadhpura, Refinery, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 406, 419, 467, 468 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that a sum of Rs. 5.25 lacs was decided as consideration amount for the purchase of land by the informant from the petitioner against which a sum of Rs. 4.2 lacs was given in cash, Rs. 55,260/- was given by way of expense for registry and Rs. 1.05 lacs was due. It later transpired that the said land did not belong to the petitioner and for which a title suit was also filed.

It is submitted by learned counsel for the petitioner that from the facts stated in the FIR itself it would be evident that the matter is one purely of civil dispute and subsequent to the execution of the sale deed, Title Suit no. 9 of 2019 has been filed wherein both the informant and the petitioner have been made defendants. The petitioner is in custody since 17.12.2020



and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the land in question did not belong to the petitioner and it was by way of a conspiracy with the intention to cheat the informant that the said transaction was entered into.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the nature of dispute between the parties and the petitioner having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Gadhpura P.S. Case no. 66 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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