

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5651 of 2022

Arising Out of PS. Case No.-452 Year-2021 Thana- BIHPUR District- Bhagalpur

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MUKESH CHOUDHARY Son of Late Kailash Choudhary Resident of
Village- Marwa, P.S.- Jhandapur O.P, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-05-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Bihpur (Jhandapur) P.S. Case No. 452 of 2021, registered for the
offences punishable under Sections 406, 420, 468, 471 and 120 B of
the Indian Penal Code.

As per allegation, co-accused Pradeep Singh and Santosh
Singh facilitated execution of sale deed by two impersonators in
favour of petitioner Mukesh Chaudhary in respect of the land which
belonged to the informant.

Learned counsel for the petitioner has submitted that the
the petitioner is a bona fide purchaser. He is an ex-armyman and the



informant has already instituted a title suit against the present petitioner for cancellation of sale deed. He has further submitted that one Kishore Kumar Tiwari and Chandra Shekar Tiwari have also filed a Title Suit No. 13 of 2020 against the informant claiming themselves to be title holder of the disputed land. He has also submitted that the petitioner is a person of clean antecedents and this is a case of civil nature.

Considering the fact that a title suit is already pending between the petitioner and the informant and the petitioner is a person of clean antecedents, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned First Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Bihpur (Jhandapur) P.S. Case No. 452 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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