

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12200 of 2022

Arising Out of PS. Case No.-279 Year-2020 Thana- MANSI District- Khagaria

Ambika Lal Son of Late Raghunath Lal, Resident of Village - Chakhusaini
Kalisthan, P.S.- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

6 12-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the Informant.

The petitioner seeks regular bail in connection with
Mansi P.S. Case No. 279 of 2020, G.R. No. 2974 of 2020
lodged under Sections 406, 420, 467, 468/34 of the Indian Penal
Code.

As per the prosecution case, the accused petitioner
had purchased the land of informant from one Amresh Kumar
knowing well that the said land in question does not belong to
him, having neither title nor possession. It has also been alleged
that in this matter a *Panchayati* took place, thereafter, this case
has been filed.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence, he is the purchaser of the land upon payment of money to Amresh Kumar. He further submits that upon payment of consideration amount of Rs. 4,10,000/- this land has been executed in favour of petitioner. He further submits that petitioner is in custody since 15.12.2021, charge sheet has already been filed in this case and petitioner has having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that this land belongs to the informant and the seller and purchaser both were fully aware that the said land does not belong to the vendor from whom the present petitioner had purchased the land. The latest rent receipt upto 2020-21 exists in favour of the informant. He also submits that for the said land a title suit is pending before the Court of competent jurisdiction. He further submits that the criminal intent of the petitioner is involved in the case due to the reason that he is well aware about every pros and cons of this land and intentionally with a view to commit fraud with the informant, petitioner had purchased the said land.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but the Trial Court is directed to release him on bail after framing of charge in this case.

With this observation, the present bail application stands rejected.

(Dr. Anshuman, J.)

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