

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12960 of 2022

Arising Out of PS. Case No.-95 Year-2020 Thana- RAXAUL District- East Champaran

RAJU KUMAR Son of Shambhu Prasad Resident of Village- Shakar Saraiya,
P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 420/467/468/471 of the
Indian Penal Code.

As per the prosecution case, this petitioner along with
other accused persons entered into an agreement with the
informant and executed Mahadanama with respect to the land
bearing Khata No. 77 on consideration amount of Rs. 20 lacs.
Thereafter, they converted the Mahadnama into agreement of
sale by entering description of cheque and consideration amount
and on the basis of that sent legal notice to the informant and
others and thereby created forged and fabricated document in
order to withdraw money from the bank by taking in influence
the stamp vendor and bank officials with intention to cause
wrongful loss to informant and his brothers.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that it informant himself admits the execution of agreement and Mahadnama and when he failed to act upon legal notice was given and in order to dispute the claim of Rs. 20 lacs the present case has been filed. It is further submitted that the occurrence took place on 10.01.2019, legal notice in terms of the agreement was given on 30.08.2019 but the case was filed on 14.03.2020. Petitioner is in custody since 26.01.2022 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Raxaul PS case No. 95/2020.

(Prabhat Kumar Singh, J)

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