

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30995 of 2021

Arising Out of PS. Case No.-206 Year-2019 Thana- TARARI District- Bhojpur

SHRIRAM PANDEY Son of Hridayanand Pandey Resident of Village -
Bhakura, P.S.- Tarari, Dist. - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gajadhar Pandey Son of Late Ram Pyar Pandey Village - Bhakura, P.S.-
Tarari, Dist. - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Nath Sinha, Advocate
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Ravindra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-02-2022 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 120B, 420, 406, 468, 471, 467, 167, 323, 504 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that he had gifted the entire property by gift deeds in favour of his daughter. On his daughters applying for mutation, it transpired that the gifted property had already been mutated in favour of the accused persons including the petitioner herein in light of a compromise arrived at in permanent Lok Adalat. It is



the case of the informant that he did not sign any compromise petition and his signature has been forged by the accused. On the accused persons filing a petition for mutation, it was on the basis of a false report submitted by the *Karmachari* that the lands were mutated in their favour. The informant filed a petition before the police authority narrating the above.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the facts narrated in the FIR it is clearly a case of civil dispute between the parties. The instant criminal case has been filed by the informant only with a view to pressurize the petitioner into accepting the unreasonable demand of the informant. The petitioner is in custody since 3.2.2021 and chargesheet has been submitted in the case. He has no criminal antecedent.

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 from the narration of the FIR it is clear that the petitioner along with the other accused, got a compromise petition passed from the permanent Lok Adalat based on the forged signature of this petitioner without his knowledge. Thereafter, taking the *Karmchari* in their conspiracy, they got the land mutated in their favour. It is a



clear case of cheating and criminal breach of trust.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner being in custody since 3.2.2021 ie for more than one year, the petitioner is directed to be enlarged on bail in connection with Tarari P.S. Case no. 206 of 2019 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 Judicial Magistrate 1st Class, Bhojpur at Ara.

(Partha Sarthy, J)

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