

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35629 of 2022

Arising Out of PS. Case No.-236 Year-2021 Thana- AANDAR District- Siwan

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Anjani Srivastava @ Anjani Kumar Srivastava Son Of Late Shambhunath Prasad R/O Village- Dhanauti Hata, P.S.- M.H.Nagar Hasanpura, District- Siwan , At Present Residing At Old Colony Jwala Nagar Rampur City, P.S.- Civil Line Rampur, District- Rampur (UTTAR Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 420, 468/34 and other sections of Indian Penal Code.

As per FIR, all the accused persons including this petitioner cheated the informant by selling *Gair Mazaruwa* land worth Rs. 14 lacs.

Learned counsel appearing for the petitioner submits that the land in question is recorded in R.S. Khatiyani as ‘Gair Mazaruwa Malik’ in the name of Surajdeo Narain Singh and others. Surajdeo Narain settled the land of his share to one Janardan Prasad who executed sale deed in favour of Dulhin Shail Kumari Devi. Petitioner is son of Dulhin Shail Kumari



Devi and as such, petitioner has not cheated the informant. Moreover, the alleged occurrence has taken place on 19.06.2019 but the instant FIR was lodged on 04.12.2021 after a lapse of two years and six months only with a view of harass the petitioner. Furthermore, this dispute is of civil nature. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Siwan in Ander (M.H. Nagar) P. S. Case No. 236 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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