

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48436 of 2021**

Arising Out of PS. Case No.-661 Year-2020 Thana- KHAGARIA District- Khagaria

SHANI KUMAR SINGH Son of Lal Bahadur Singh Resident of Mohalla -
Sanhauli, Ward No. - 7, P.S.- Khagaria (Chitragupta Nagar), District -
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 21-06-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 406, 420 of the Indian
Penal Code.

As per the prosecution case, this petitioner is alleged
to have registered a deed for one Katha of land for consideration
amount of Rs. 3 lakh in favour of informant which was later on
found to be Gairmazarua Aam land as a result of which
mutation was not done.

Learned counsel appearing for the petitioner submits
that the dispute is of civil nature. It is submitted that for the
same piece of land the informant has already filed Money Suit
No. 2/2021 before the Sub Judge, Khagaria in which notice has



been issued to the petitioner and petitioner has already appeared in the case. It is submitted that petitioner has already executes sale deed in favour of the informant and informant is in possession of the land, therefore, no case u/s 406, 420 of the IPC is made out against this petitioner. Petitioner has got clean antecedent.

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

Considering the facts of the case, nature of accusation, pendency of Money Suit and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria (Chitragupta Nagar)PS case No. 661/2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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