

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55487 of 2022

Arising Out of PS. Case No.-132 Year-2022 Thana- NAWADA District- Nawada

DEWA CHAUDHARY @ DEVANAND CHAUDHARY, (Male), aged about 48 years, Son of Late Brahmdeo Chaudhary, Resident of Village - Bhadauni, P.S.- Nawada, District - Nawada.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Fulan Kewat, (Male), Son of Brahmdev Kewat, Resident of Village - Kewat Nagar Madauni, P.S.- Nawada, Town District - Nawada.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Zainul Abedin, A.P.P>

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner seeks bail in connection with Nawada Town P.S. Case No. 132/2022, registered for the offence under Sections 406, 420, 467, 468, 471 and 504/34 of the I.P.C.

The prosecution case, in brief, is that the informant is engaged in the work of purchase and sale of land. On 25.07.2020, Dewa Chaudhary (petitioner), Sanjay Chaudhary and Nandu Chaudhary had shown a sale deed in the name of his



father and stated that they have to sell the land. Thereafter, the informant got executed an agreement for sale on 28.07.2020 with Dewa Chaudhary, Sanjay Chaudhary and Nandu Chaudhary and paid total Rs. 2,00,000/- and later he paid Rs. 16,00,000/- to them and another agreement for sale was executed on 06.10.2020 by Sita Ram Chaudhary and Suma Devi for which the informant paid Rs. 4,00,000/- and later he paid Rs. 16,00,000/- to them but they did not execute the sale deed in favour of the informant and also abused them. One Md. Saddam Khan @ Murtaja and Mustafa Khan came and after seeing the sale deed stated that the land in question belongs to them. Hence, the aforesaid persons cheated the informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.05.2022. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There was an agreement for sale of piece of land. Subsequently, due to certain dispute, sale could not take place between the petitioner and the informant. It has further been submitted that the matter relates to civil dispute. All the offences are triable by the Magistrate.



On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No. 132/2022.

(Sudhir Singh, J)

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