

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63855 of 2021

Arising Out of PS. Case No.-1055 Year-2019 Thana- NAWADA District- Nawada

Jageshwar Prasad, Son Of Hari Mahto Resident Of Village- Bhupatpur, P.S.-
Muffasil, District- Nawada. Petitioner/S

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Bohra

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 419,
420, 467, 468 and 471 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and draws the
attention of the Court to the allegation as alleged in the F.I.R.
and submits that from bare perusal of the allegation as alleged in
the F.I.R., it would manifest that the petitioner is bonafide
purchaser of land from Md. Aslam and Md. Mokhtar Alam.
Though the informant alleges that the land sold by the accused/
petitioner belonged to him.

The learned counsel thus submits that the dispute
appears to be purely civil in nature. It is next submitted that the
petitioner is innocent purchaser as no prudent person would buy a
land knowing that the land does not belong to the person from



whom he has purchased. It is next submitted that the petitioner by purchasing the land has purchased a bag of litigation instead of property. The learned counsel next submits that if the informant is aggrieved by the sale deed executed in favour of the petitioner, he has remedy available in law to get the sale deed cancelled.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nawada Nagar P. S. Case No.1055 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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