

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58078 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- MAHISHI District- Saharsa

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1. Guneshwar Singh S/O Late Ram Bahadur Singh R/V- Rajanpur, P.S.- Mahishi, Distt- Saharsa.
 2. Nityanand Singh S/O Late Chandeshwar Singh R/V- Rajanpur, P.S.- Mahishi, Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2022 Learned senior counsel for the petitioners submits that the petitioner no. 2 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 2.

Permission is granted.

Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.

Heard learned senior counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no. 1.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471, 419, 406, 120B of the Indian Penal Code.



It is alleged in the FIR that the land of the State Government was illegally sold to one Ram Babu Bhagat through a sale deed bearing no. 8824 on 04.08.2006 by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has not received any compensation for the land bearing Khata No. 903 plot no. 3423 area 1.54 decimal and he had no knowledge that Kapileshwar Singh has received compensation for the said land. He submits that after the sale of the aforesaid land, the owner Ram Babu Bhagat has been paying the rent since 2016 upto 2022-2023 and on 24.06.2022 a land possession certificate was issued to the said Ram Babu Bhagat regard the said land. He submits that the present case is purely civil in nature. He submits that there is nine days delay in lodging the FIR and petitioner is an old age person aged about eight years. He further submits that petitioner has one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the



case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mahishi P.S. Case No. 100 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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