

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8447 of 2023

Arising Out of PS. Case No.-745 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Birendra Kumar @ Virendra Paswan S/O Late Parmeshwar Paswan R/O
Village- Rwaich, P.O. And P.S.- Bakhtiyarpur, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanyukta Devi W/o Rahera Jaysawal R/o Village- Behind of Rajkiya
Madhya Vidyalaya South Sandalpur, P.O.- Mahendru, P.S.- Bahadurpur,
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Though the Vakalatnama has already been filed on
behalf of the opposite party no. 2 but nobody appears on her
behalf.

3. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 420/34 of
the Indian Penal Code.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that there is no specific overt act against the
petitioner. He submits that though land in question has been sold
by the mother of the petitioner in the year 2010 but the



complaint has been filed in the year 2018. Petitioner is only identifier who has role only to extent that the certain person is Maro Devi. He submits that there is no direct and legal evidence against the petitioner in the complaint petition. He submits that the dispute is purely civil in nature. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. 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 Complaint Case No. 745 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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