

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6227 of 2023

Arising Out of PS. Case No.-778 Year-2022 Thana- BIHAR District- Nalanda

Narendra Kumar S/O Kashi Pandit R/v- Dharahara, P.S.- Ben, District-Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bihar P.S. Case No.778 of 2022, registered for offences under Sections 419, 420, 467, 468, 471, 120B and 34 of the IPC.

The case of the prosecution, in brief, according to the informant, who is the District Registrar, Nalanda, is that on 11.02.2022, one sale-deed was presented before him, for the purposes of registration, by the seller, namely, Chando Devi, in favour of the purchaser, namely, Santosh Yadav and it came to light that Santosh Yadav was purchasing the land by presenting a fake person before the informant. It is also alleged that one Harinandan Paswan is stated to be the identifier in relation to the said sale deed,



whereas the petitioner and other accused persons were mediators in selling the land.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that neither the petitioner is seller nor purchaser of the land in question nor he is the identifier nor he is the fake person, who has been put forth by the purchaser of the land in question, for the purposes of the registration of the sale deed in question, hence, he has got not role to play in the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the averments made by the petitioner in the present case, *prima facie*, the petitioner does not appear to be having any role to play in the alleged occurrence, hence I deem it fit and proper to admit the petitioner to the privilege of anticipatory



bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.778 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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