

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10101 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- SILAO District- Nalanda

SUBHASH KUMAR Son of Shailendra Malakar R/v- Nepura, P.O. and P.S.-
Silao, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate.

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 19-05-2023 Heard Mr. Satya Ranjan Singh, learned counsel

for the petitioner and Mr. Akshay Lal Pandit, learned
Additional Public Prosecutor appearing for the State.

Petitioner apprehends his arrest in connection with
Silao P.S. Case No. 215 of 2022 dated 7.9.2022 registered
for the offence punishable under Section 420 of the Indian
Penal Code.

As per the First Information Report, the petitioner
has allegedly signed as a witness on an agreement executed
between Gyanti Devi i.e. accused No. 1 and the
informant/complainant Ripu Kumar for sale of a piece of
land by Gyanti Devi in favour of the informant/complainant
for a consideration money of Rs.8,00,000/-, out of which,
Rs. 7,50,000/- was given by the complainant/informant in



favour of Gyati Devi.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of fact that he was made witness in the agreement for sale between the complainant and the co-accused Gyanti Devi executed on 8.3.2021. He further submits that the petitioner was not aware about any agreement executed between seller and purchaser and the informant/complainant has not brought on record the copy of the said agreement. Admittedly, petitioner is not a beneficiary.

Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is merely a witness in the agreement and has not received any amount from the purchaser/complainant, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Archana Kumari, learned Judicial Magistrate, Nalanda at



Bihar Sharif in connection with Silao P.S. Case No. 215 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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