

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12320 of 2023

Arising Out of PS. Case No.-861 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Santosh Kumar Son Of Late Gopal Prasad Sinha R/O Mohalla- Khilanganj,
P.S.- Sasaram, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hari Sinha @ Hari Singh Son Of Late Lalji Sinha R/V- Malvar, Police
Station- Shivsagar, District- Rohtas At Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 406 of the
Indian Penal Code.

As per complaint case, the petitioner who was the
then employee of Block Shivsagar in collusion with other co-
accused kept the Circle Officer in dark by giving false report for
his personal gain and the co-accused grabbed the land of the
complainant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner never took a single farthing
from the complainant and there is no direct or indirect allegation



against the petitioner in the complaint petition. No offence under Section 406 of the IPC is made out against the petitioner at all. He submits that there is no specific allegation against the petitioner. He submits that the present complainant has filed a Mutation Appeal No. 97 of 2021 before the Deputy Collector Land Reforms, Sasaram against both sons of petitioner which is still pending. He further submits that petitioner has no 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 Complaint Case No. 861 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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