

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11042 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- PARSA District- Saran

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KASHI RAI Son of Late Chandradip Rai @ Chandandip Rai R/V- Fatehpur,
P.S- Parsa Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar Rai Son of Ram Babu Rai R/V- Fatehpur, P.S- Parsa Dist- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 420, 467, 468, 504, 34 of the Indian Penal Code.

As per prosecution case, the father of the petitioner had sold the land in question to father of the informant in year of 1959 in which title suit is also going on between the parties. Even after knowing this fact, the petitioner had sold the said plot to another person on 24.6.2022 and when the informant went to the house of petitioner, he abused and assaulted him.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner has falsely been made accused in this case. The petitioner and the informant are pattidar and a Title Suit no. 641 of 2021 is pending between the parties in respect of land in question which is alleged to be sold to another person. It is further submitted that it is a case of civil in nature for which criminal proceeding has been initiated against the petitioner. The petitioner has got no criminal antecedent and languishing in judicial custody since 25.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Parsa P.S. Case No. 236 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Saran.

(Sunil Kumar Panwar, J)

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