

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11431 of 2023

Arising Out of PS. Case No.-41 Year-2022 Thana- KUDHNI District- Muzaffarpur

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DHARMENDRA KUMAR Son of Late Ram Naresh Singh Resident of
village - Pirapur Bhabhan Tola, P.S.- Goraul, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 29-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case

instituted for the offence under Sections 419, 420/34 of the

Indian Penal Code.

3. As per allegation in the FIR, accused Kaushal

Thakur and Mithilesh Kumar has sold fraudulently the

ancestral land of the informant bearing Thana No. 178 ,

Khesra No. 762, 772, 774, 778, 804, 926 Area 23 dismal,

12.5 dismal, 20 dismal, 32 dismal, 8 dismal and 14 dismal

to the petitioner under conspiracy with other co-accused

persons for consideration amount of Rs. One Crore showing

government valuation of the said land as Rs. 26.5 lacs.

Accused Rahul Kumar and Shambhu Kumar are the



witnesses of the alleged sale-deed.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner is a bonafide purchaser of the ancestral alnd of late Jagdev Singh from Kaushal Kishore Singh. Petitioner was not in knowledge that accused Kaushal Kishore Singh is not the real owner of the property. Petitioner was himself cheated by the accused Kaushal Kishore Singh. Petitioner is languishing in judicial custody since 1.12.2022.

5. The application for bail is opposed by learned APP for the State and submitted that right from the beginning petitioner had an intention of cheating the informant. Bail petition of similarly situated other accused person, namely, Kaushal Thakur has already been rejected by another coordinate Bench of this Court vide order dated17.08.2023 passed in Cr. Misc. No. 48886 of 2023.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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