

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16261 of 2023

Arising Out of PS. Case No.-182 Year-2017 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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SUBODH KUMAR SINGH Son of Late Yogendra Prasad Singh Resident of
Mohalla- Rajendra Nagar (Sanhauli), Ward No.-20, P.S.- Chitragupta Nagar,
District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kamla Devi @ Kamela Khatoon Wife of Late Tahir Hussain Resident of
Mohalla- Rajendra Nagar (Sanhauli), Ward No.-20, P.S.- Chitragupta Nagar,
District- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Complaint Case No. 182C of 2017, registered
for the offence punishable under Sections 420, 467 and 468/34
of the Indian Penal Code.

The allegation is regarding the complainant having
entered into a deal for purchase of land / house from Ram
Naresh Singh, which was facilitated by the petitioner and the
sale consideration was fixed at a sum of Rs. 16, 41, 000/-. The
sale consideration is stated to have been given to the petitioner



and the said Ram Naresh Singh, whereafter the said Ram Naresh Singh had executed a sale deed in favour of the complainant, however, it is alleged that subsequently, the complainant came to know that the land, which he has purchased and is in possession thereof, is a Government land, hence, it is alleged that the accused persons have cheated the complainant.

The learned counsel for the petitioner submits 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 the petitioner has got nothing to do with the alleged incident, inasmuch as he is neither the owner of the land in question nor he has executed the sale deed in question nor he is the beneficiary of the sale consideration.

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 petitioner, taking into account the materials available on record as also considering the fact that neither the land in question belongs to the petitioner nor the sale deed in question has been



executed by the petitioner and moreover, the petitioner is also not stated to be the beneficiary of the sale consideration, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the 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 Judicial Magistrate 1st Class, Khagaria, in connection with Complaint Case No. 182C of 2017, 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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