

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30546 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Praveen Kumar Yadav @ Praween Kumar Yadav @ Pravin Kumar Yadav Son
Of Late Yadu Prasad Yadav @ Jaddu Yadav Resident Of Village- Shreepur
(Sripur) Gobrahi, P.S.- Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13, Advocate
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh, APP
For the Informant	:	Mr. Pramod Bihari Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-07-2023 Heard learned counsel appearing on behalf of the

petitioner, learned counsel appearing on behalf of the State and

learned counsel appearing on behalf of the Informant.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with

Kusheshwar Asthan P.S. Case No. 360 of 2022 registered for the

offence under Sections 467, 468, 471, 420, 120B of the Indian

Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.11.2022.

The allegation against the petitioner is to cheat



informant alongwith other co-accused persons after preparing forged GPA (General Power of Attorney) for piece of land, the details of which available through FIR.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner falsely implicated with present case only for the reason that he is the one of the attesting witness of alleged General Power of Attorney, which was executed long back in the year 2003. While concluding the argument, it is submitted that the dispute is purely civil in nature. While concluding argument, it is submitted that petitioner found earlier involved in three cases, where he is on bail, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel Mr. Pramod Bihari Singh, appearing on behalf of informant, while opposing the prayer of bail submitted that the petitioner actively participated in alleged occurrence.

Considering the facts and circumstances as mentioned above as the name of petitioner appears as an attesting witness over the instrument of Attorney dated 22.01.2003 without any active participation, coupled with the fact that charge-sheet has



already submitted, where petitioner is in custody since 15.11.2022, accordingly, petitioner above named, is directed to be released on bail in connection with Kusheshwar Asthan P.S. Case No. 360 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Biraul, District -Darbhanga/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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