

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32804 of 2023

Arising Out of PS. Case No.-193 Year-2022 Thana- SHEOHAR District- Sheohar

CHANDAN UPADHAYAY @ CHANDAN KUMAR Son of Narad
Upadhyay RESIDENT OF VILLAGE- MAHUARIA, P.S.-
SHEOHAR,DISTRICT- SHEOHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 471, 354, 504, 506 and 34 of the Indian Penal Code.

3. The informant alleges that she purchased five decimal of land for Rs. 2,45,000/- from the accused persons by a registered sale deed but when she went to take possession, one Nitesh objected saying that the land belongs to him, thus alleges that she was cheated by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the land



was sold to the informant by Umesh Tiwary in the year 2013 and he received the money also and the present FIR came to be instituted in 2023, it is next submitted that petitioner has been made an accused in the case as he is a witness on the deed executed by Umesh Tiwary. It is further submitted that the dispute is purely civil to which a criminal colour has been given.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sheohar P.S. Case No. 193 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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