

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44186 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Dharmendra Kumar, Son of Parmeshwar Rai, Resident of Village-
Akhtiyarpur Chaknoor Tole Dadpur, P.S.- Muffasil, District- Samastipur
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Samastipur Muffasil P.S. Case No. 637 of
2022 registered for the offences punishable under Sections 420,
467, 468, 471, 120B/34 of the Indian Penal Code. He has got no
criminal antecedent.

3. As per the prosecution story, the informant had
purchased a piece of land in 2020 from co-accused Sidharth Yadav
vide deed no. 8365 bearing Plot No. 55, Khesra No. 1035
measuring an area of 3.27 decimal but then the said Sidharth
Yadav along with one Vinita Bharti asked the informant to sell the
said land which the informant always used to deny. It is further
alleged that this petitioner along with Sidharth Yadav and Vinita
Bharti approached the informant for registry of a piece of land.



Thereafter the informant sell the newly purchased land in favour of accused Sidharth Yadav vide deed no. 18465 on 22.10.2022. Further on 12.11.2022 the informant executed a sale deed in favour of Vinita Bharti vide deed no. 19753 but the petitioner along with other co-accused fraudulently got executed land of the informant by changing the page of sale deed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the allegations are leveled on the basis of sale of a piece of land and this may be a case of civil dispute.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the kind of submissions made on behalf of the petitioner and on noticing that the allegations relate to sale of a piece of land and it is alleged that in the sale deed the description of another plot was given by the accused persons, in the nature of the materials and the submission of learned counsel for the petitioner that this may be a case of civil dispute, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Samastipur Muffasil P.S. Case No. 637 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Samastipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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