

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54777 of 2023**

Arising Out of PS. Case No.-394 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Santosh Kumar, S/o- Hari Narayan Ram, Village- Nauajhoti, P.S.- Bhabua  
Dist- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sugandha Devi, wife of Mahendra Kumar, Village- Panchgawan, P.O.-  
Khaira, P.S.- Sonhan, Dist- Kaimur (Bhabua)

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumar Sunil, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      23-08-2023                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Mohania P.S. Case No. 394 of 2021 dated 07.09.2021 registered for the offences punishable under Sections 420, 467, 468 and 471/34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioner are that the petitioner is named in the FIR but from the perusal of the same, it is clearly evident that he was not executant of the sale deed rather he was witness of the sale execution, in fact the petitioner himself purchased 4 decimal land from co-accused Pramila Devi and if the informant



of this case is a victim then the petitioner is also a victim and the alleged offences of IPC do not attract against him.

4. Learned APP for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the facts that the petitioner is stated to be the witness of the execution of the alleged sale deed and he is also stated to be the purchaser of 4 decimal land from co-accused Pramila Devi and also the fact that the petitioner has fair and clean antecedent, in my opinion, the petitioner deserves to be released on anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the Court concerned in connection with Mohania P.S. Case No. 394 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Shailendra Singh, J)**

annu/-

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