

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69600 of 2022

Arising Out of PS. Case No.-748 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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SUDHIR KUMAR S/o Shyam Bihari Vishwakarma R/v- Maharajganj, P.S.-
Ekangarsarai, District- Nalanda at Biharsharif

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRATIMA DEVI W/o Late Lalan Kumar R/v- Chaurai, P.S.- Aungari,
District- Nalanda at Biharsharif

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 323, 406, 420/34 of
the Indian Penal Code.

Allegedly, petitioner, as well as other accused persons,
has intention to grab the sum of Rs. 95,70,000/- of the Late
Lalan Kumar, husband of the complainant. They also
misbehaved with the informant and assaulted her.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. Petitioner has been
falsely implicated in this case. The allegation levelled against



the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner is an innocent witness in the Agreement for sale deed entered between complainant's husband, Ashutosh Kumar and land owner. He has committed no offence as alleged in the complaint, but the petitioner has been made accused with ulterior motive. There is admitted civil dispute between the parties. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is civil dispute between the parties, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Complaint Case No. 748C of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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