

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7336 of 2024

Arising Out of PS. Case No.-3143 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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MOHAN MAHTO S/O LATE JAGDISH MAHTO R/O VILLAGE AND P.O-
CHAILAHA, P.S- BANJARIA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Madho Mukhiya, son of Tulsi Mukhiya, resident of village:Chailaha, P.S.-
Banjaria, District:-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Mr. Nitya Nand Tiwary, A.P.P.
For the Respondent/s	:	Mr. Rakesh Kumar No. 1, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 08-05-2024 Heard Mr. Umesh Chandra Verma, learned Counsel

for the petitioner, Mr. Rakesh Kumar No. 1, learned Counsel for

the complainant and Mr. Nitya Nand Tiwary, learned APP for

the State.

2. The petitioner apprehends his arrest in connection

with Complaint Case No. 3143 of 2022 (Tr. No. 2319 of 2023)

for the offence registered under sections 323, 341, 420 and 504

of the Indian Penal Code lodged on 15.12.2022 by the

complainant, Madho Mukhiya.



3. As per the prosecution story, the complainant alleged that he being a poor labourer, wanted piece of land for constructing a home of his own, relying on this petitioner who introduced him to one Satya Narayan Yadav altogether paid Rs. 1,30,000/-. However, unfortunately, Satya Narayan Yadav died and as his son refused to give the money back. A *panchayati* was held, this petitioner amongst other accepted the guilt and ensured that the sale deed be executed by 30.11.2022. As no such, execution took place, the complainant wanted his money back and went to the house of the accused but got assaulted. Accordingly, the case.

4. Learned Counsel for the petitioner submits that he being the introducer to Satya Narayan Yadav, he cannot be held accountable.

5. Learned Counsel appearing on behalf of the complainant has provided a piece of paper to show that in his own handwriting, the petitioner gave his undertaking and as such, his role is beyond the claim of introducer.

6. Considering the complaint and also a labourer put in his hard earned money for purchasing a piece of land, got cheated, this petitioner role being important in the absence of Satya Narayan Yadav who is now no more, relief claimed by



him cannot be extended.

7. The anticipatory bail application accordingly stands
rejected.

(Rajiv Roy, J)

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