

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6601 of 2024

Arising Out of PS. Case No.-360 Year-2021 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Sakaldeo Prasad Yadav, S/o Karu Prasad Yadav, R/o Village-Khutaunichak,
P.S.- Nawada (O.P.) Kadirganj), Dist.- Nawada.

... .. Petitioner

Versus

1. The State of Bihar
2. Babuni Devi W/o Late Tanik Singh, R/o Village-Ghostaba, P.S.-Kadirganj
(Nawada), Dist.- Nawada.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Complaint Case

No.360 of 2021 in which cognizance has been taken for the

offences punishable under Sections 467, 468, 471, 420 and

120-B of the Indian Penal Code (for short 'IPC').

3. Allegation against the petitioner is to cheat the

complainant along with other co-accused persons to get the

sale-deed executed in his favour for a piece of land

measuring 1 acre 16 decimal, where specific description of



land in issue is available in the complaint petition itself.

4. It is submitted by learned counsel that the cognizance in this matter was taken only under Section 420 of the IPC, where no allegation to create any forged document found *prima facie* true. It is pointed out that petitioner is a *bona fide* purchaser, who purchased the land in issue after paying full consideration amount and only after change of mind, post-sale deed execution, the present false complaint was lodged against the petitioner. It is submitted that issue in complaint petition appears purely civil dispute and the present complaint case alleged to be registered to create a legal pressure only. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission, as sale deed appears to be executed in favour of petitioner as per narration of complaint petition itself, who is man of clean antecedent, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks,



on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Nawada in connection with Complaint Case No.360 of 2021, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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