

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.10461 of 2024

Arising Out of PS. Case No.-314 Year-2020 Thana- WARISLIGANJ District- Nawada

Mahesh Yadav @ Maho Yadav, aged about 52 years, M, S/o Kashi Gop R/o Vill.- Balwapar, P.S.- Warsaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Opposite Party/s: Mr. Madhura Nand Jha, APP

For the Informant : Mr. Durgesh Nandan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner, learned counsel for the Informant and learned APP for the State.

2. The petitioner is in custody in connection with Warsaliganj P.S. Case No. 314 of 2020 registered for an offence punishable under Sections 419 and 406 of the Indian Penal Code.

3. As per allegation in the FIR, a total of Rs.11,00,000/- was given to the seller Mahesh Yadav @ Maho Yadav for the purchase of land after paying the money, the petitioner did not want to register the land and has been sold to another person by petitioner on a fake Kewala. Petitioner has deliberately entered into a fake land agreement.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He submits that petitioner has got no criminal antecedent and he is in custody since 26.10.2023



5. Learned APP for the State as well as Informant opposes the prayer for bail of the petitioner and submits that the petitioner has cheated by making false agreement and the allegations which has been levelled against the petitioner is found to be true by the investigating officer.

6. From perusal of the first information report and impugned order dated 08.01.2024 as well as the counter affidavit filed by the informant, it appears that in para-4 of the counter affidavit, informant paid Rs.5,00000/- to the petitioner and Rs.6,00000/- to the son of the petitioner, namely, Kundan Kumar, who has already been granted anticipatory bail by a Coordinate Bench of this Court passed in Cr. Misc. No. 14000 of 2022, in these circumstances, the prayer for bail of the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Warsaliganj P.S. Case No. 314 of 2020.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

