

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11791 of 2024

Arising Out of PS. Case No.-1580 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Dilkhush Kumar @ Dilkhush Kumar Jha Son of Subhash Jha Resident of
Mohalla- Sipahi Tola, P.S.- K. Hat, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sudeep Rai Son of Late Udaynath Rai Resident of Mohalla- Sipahi Tola,
P.S.- K. Hat, District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s :	Mr.Zainul Abedin, APP.
	Ms. Akanksha Malviya, Adv.
	Ms. Shuchi Bharti, Adv.
	Mr. Akash Keshav, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 465, 120B of the Indian Penal Code.

3. Allegedly, having conspiracy, co-accused Vikash Chandra Roy along with other accused persons committed fraud and got the registration of the land of the complainant in favour of one Prity Gupta and other co-accused persons illegally and in this way, they caused illegal loss of Rs. 17,46,000/- to the complainant. Petitioner is said to be the identifier of the said sale deed.



4. 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. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been made accused in the present case merely because he is the identifier of the sale deed. This fact is also not denied by learned counsel for the complainant. There is specific overt act against co-accused Vikash Chandra Roy to execute and register different sale deeds in favour of different purchasers and delivered them possession of land. There is property dispute between the complainant and co-sharer and the matter is purely civil in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

6. 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 her 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 Court below where the case is pending/successor Court in connection with Complaint Case No. 1580 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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