

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17633 of 2024

Arising Out of PS. Case No.-563 Year-2019 Thana- KHAJANCHI HAT District- Purnia

Sudhanshu Shekhar Tiwari S/O Late Chandra Shekhar Tiwari R/O Dollar
House Chowk, P.S- K.Hat, Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Fazle Karim, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
K. Hat P.S. Case No. 563 of 2019 dated 07.08.2019 instituted
for the offence punishable under Sections 406, 419, 420/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
and other co-accused received Rs. 4,01,000/- from the informant
as advance for executing a sale deed in her favour. But they
grabbed the amount and refused to execute the sale deed. It is
alleged that they have cheated the informant by not executing
the sale deed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that neither the petitioner received any money nor any agreement to sale was executed by the petitioner in favour of the informant. There is no specific allegation against the petitioner. Specific allegation is against Pankaj Kumar and Ramu Murmu, who received the said amount as well as executed the agreement to sale. Learned counsel for the petitioner submits that land in question belongs to the petitioner, who neither executed any sale deed nor any agreement to sale. There is specific allegation in F.I.R that cheques were received by the co-accused Pankaj Kumar and Ramu Murmu in whose favour the cheques were issued. Learned counsel for the petitioner submits that the petitioner had no knowledge about the agreement between the informant and co-accused persons and also the petitioner is not a witness to such agreement. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with K. Hat (Madhubani) P.S. Case No. 563 of 2019, he will be released on bail upon fur-



nishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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