

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27608 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SIDHWALIYA District- Gopalganj

Birendra Pandey S/o Late Lachhandev Pandey R/o Village- Lohijara Tola
Balichhapar, P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP.

Mr. Awadhesh Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 420, 467, 468, 471, 504, 34 of the Indian Penal Code.

3. Allegedly, the petitioner having conspiracy with other co-accused persons is said to have sold the land of informant's share in the name of one Aas Bibi on 20.03.2020 in Sidhwaliya Registry office. When the informant came to know about the same and asked the accused persons to return the aforesaid land through sale deed, they started abusing the informant.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no



offence. No such occurrence as alleged has ever taken place. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is admitted land dispute between the parties and a title suit bearing Title Suit No. 668 of 2021 is pending between them. It is further submitted that the petitioner is cousin of the informant and he has committed no fraud. He transferred land of his share in favour of one Aas Bibi legally and over the said land, the informant has not right and title. The land in question is running in the name of the petitioner's father. He has been made accused in the present case merely with an intention to grab the land of petitioner's share by the informant. 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 informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is admitted land dispute between the parties, let the above named petitioner, be released on bail, in the event of his 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 lower Court where the case is pending/successor Court in connection with Sidhwaliya P.S. Case No.251 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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