

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27169 of 2024

Arising Out of PS. Case No.-421 Year-2023 Thana- GOPALPUR District- Bhagalpur

Rajpati Mandal Son of Basudeo Mandal Resident of Village- Masudanpur
Baisi, P.S.- Rangara O.P. (Gopalpur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey
For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur (Rangra) P.S. Case No.421/2023 dated 01.09.2023 registered for the offence punishable u/s 406, 420, 467, 468, 471, 120B read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant purchased a land from the petitioner after paying Rs. 26,18,000/-. The petitioner and Suman Mandal had previously purchased the land bearing area 2 acres 76 dismil. The petitioner had already sold his share of land earlier and remaining land belonged to Kare Lal Mandal who was unmarried and had



passed away. On this basis, the said land was transferred to the petitioner. Further, the informant went for mutation of said land but it was not done. Thereafter, the informant filed a case before DCLR, Naugachia where the informant came to know that younger brother of the petitioner Kare Lal Mandal was alive, and she also came to know that Kare Lal Mandal had sold his share to Shikha Devi. Thereafter, the petitioner along with the co-accused came to the informant's house to take money and fraudulently registered the land declaring the younger brother of the petitioner as dead. Further, the petitioner and the co-accused persons assaulted and abused the informant and refused to return the money.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is a case of civil nature. Learned counsel has submitted that Sonia Devi M/o Suman Kumar Mandal has written an affidavit No. 518 dated 22.11.2021 that Kare Lal Mandal is dead and both Suman Kumar Mandal and Kare Lal Mandal are different persons. It is further submitted that entire case of the prosecution against the petitioner is exactly false and it has been created under the ill intention of the informant. The petitioner has one antecedent and he is on bail in the aforesaid



case as stated in para 3 of the bail petition. The petitioner is in custody since 10.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Naugachia, Bhagalpur in connection with Gopalpur (Rangra) P.S. Case No.421/2023, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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