

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29754 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- DHAKA District- East Champaran

Mithu Kumar Son of Bigu Mandal Village- Mathiya Mohan, P.S.- Dhaka,
Dist.- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Dhaka P.S. Case no. 466
of 2023 registered under sections 420, 467, 468, 471 and 34 of
the Indian Penal Code.

3. As per the prosecution case, the informant states
that he purchased 12 *dhurs* of land from one Md. Husnain and
he has complete title and possession over the land in question. It
is further stated that seven named accused persons created
disturbance in his possession over the said land. Md. Aslam
stated that he had purchased this land from one Antima Tiwari
who purchased it from the informant, however, the informant
had not executed any sale deed in favour of Antima Tiwari.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The only allegation against him is that he happens to be one of the identifiers on the sale deed. The allegation, even on the face of it, appears to be of civil in nature. The petitioner is in custody since 23.12.2023 and the case of the petitioner stands on a similar footing to that of co-accused Md. Sabbir Alam who has been enlarged on bail vide order dated 14.3.2024 passed in Cr. Misc. no. 14641 of 2024.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R but there is direct allegation against him of having cheated the informant and others by creating forged registered sale deeds. It is a racket going on in the area with a number of persons of the registry office involved in the dealings.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, the petitioner having remained in custody since 23.12.2023, charge-sheet having been submitted in the case, the petitioner not having any criminal antecedent and grant of bail



to the above named co-accused vide order dated 14.3.2024, the petitioner is directed to be enlarged on bail in connection with Dhaka P.S. Case no. 466 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahan at Dhaka, East Champaran.

(Partha Sarthy, J)

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