

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28366 of 2024**

Arising Out of PS. Case No.-1551 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Ganesh Mandal Late Chinta Mani Mandal @ Chicho Mandal R/o- Mohalla-
Ishakchak, near Middle School, Shyamaldas Lane, PS- Ishakchak, Distt-
Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi Naresh Rai R/o-Village Bhadrar, Post- Bharkundi, PS- Banka,
Distt- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1551 of 2021, instituted for the offence
punishable under Sections 420, 120(B), 504 and 506 of the
Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
executed land on the basis of power of attorney given by the
informant in the year 2017 and the petitioner sold the same land
to one of his relatives for a sum of Rs. 8, 37,000/- and has not
paid the amount to the complainant. When the complainant went
to the house of the petitioner for demanding the said money then



the accused refused to give the same and ousted her from the house. It is further alleged that the petitioner forged the photo, signature and thumb impression of the complainant Mina Devi and her sister Bina Devi .

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the present case has been filed by complaint on 01.11.2021 after lapse of 5 years. It is submitted that during the course of execution of sale deed Mina Devi and Bina Devi both have put their signature on 16.05.2023. It is submitted that petitioner has already paid Rs. 1,00,000/- on 29.01.2011 and its receipt has also been annexed at Annexure-P4. The allegation is of land dispute between the parties which is civil in nature. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for 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 in connection with Complaint Case No. 1551 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- Ist Class, Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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