

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34502 of 2024

Arising Out of PS. Case No.-273 Year-2021 Thana- MANSI District- Khagaria

JAY PRAKASH RAM SON OF ASHIK RAM RESIDENT OF VILLAGE-
SAIDPUR, PS- MANSI, DIST- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406, 420, 467, 468, 471, 474 and 34 of the Indian Penal Code.

3. As per prosecution case, this petitioner is alleged to have fraudulently sold 1 katha 1 dhur 5 dhurki land which was purchased by the informant on 07.08.2019 from brother of this petitioner, namely Naresh Ram @ Mahesh Ram.

4. It is submitted by learned counsel appearing on behalf of the petitioner that vendor of the land in question and petitioner are own brothers and as per family partition, the land in question fell in the share of this petitioner in place of taking



compassionate appointment in place of their traceless father, which was sold by this petitioner vide sale deed dated 07.12.2018 to one Rajesh Kumar Yadav, much prior to the subsequent sale deed in question. It is further submitted that petitioner has also filed a title suit bearing Title Suit No. 115 of 2019 before the Court of learned Sub Judge Ist, Khagaria. Moreover, the dispute between the parties is with regard to sale and purchase of land, which is purely civil in nature and none of the acts allegedly committed by this petitioner would give rise to any criminal liability. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, in connection with Mansi P.S. Case No. 273 of 2021, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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