

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38844 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- DIGHALBANK District- Kishanganj

Manohar Yadav S/O Bhawak Lal Yadav Resident of Khari Dubri,P.S.-
Dighalbank, District-kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s :	Mr. Dilip Kumar No.1, APP.
	Mr. Amal Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in Dighalbank
P.S. Case No. 90 of 2023 registered for the offences punishable
under Sections 467, 468, 471, 420 of the Indian Penal Code.

3. The allegation against the petitioner is that he along
with other accused persons made another person stand in place
of Gopal Prasad Yadav and got the sale deed registered in favour
of the petitioner.

4. It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and he has committed no
offence. No such occurrence as alleged has ever taken place.
He 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. He further submits that the matter is purely civil in nature. It is further submitted that after registration of the sale deed, the petitioner came in peaceful possession over the said land, but due to greed and instigation of some interested person, the informant filed the present case after death of her husband. He further submits that the similarly situated co-accused have been granted anticipatory bail from the learned Court below vide ABP No. 308/23 on 07.11.2023. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail. Learned counsel for the informant submits the petitioner along with other accused persons made another person stand in place of Gopal Prasad Yadav, husband of the informant and got the sale deed registered in favour of the petitioner. He has also produced a copy of the sale deed of the land, which was earlier sold by the husband of the informant in which photo of the informant's husband is enclosed, which is different from the photo enclosed in the sale deed executed in the present case (Annexure-2), which clearly shows deceit committed on part of the petitioner



having conspiracy with other co-accused persons.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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