

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37990 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- KANHAULI District- Sitamarhi

Mukesh Kumar Son of Ram Prasad Mahto Resident of Village- Bhaluaha, P.S.
-Kanhauri, Dist. -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Adv.
For the Opposite Party/s	:	Mr. Dilip Kumar No.1, APP.
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-11-2024 Heard Mr. Santosh Kumar, learned counsel for the petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the State. However, nobody appears on behalf of the informant.

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

3. Allegedly, the petitioner is said to have executed sale-deed in favour of the informant after receiving the consideration amount of Rs. 5,40,000/- from him, but later on, the informant came to know that the said land had already been sold in the name of one Ram Shrestha Manjhi. When the informant went to the petitioner to ask about the same, the petitioner and other co-accused persons threatened him of dire consequences.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to dirty village politics. The allegation levelled against the petitioner is totally false and based on concocted facts. Nothing specific has been attributed against the petitioner. There is civil dispute between the parties. There is inordinate and abnormal delay of ten days in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection



with Kanhauli P.S. Case No. 13 of 2024, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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