

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39528 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- ITARHI District- Buxar

Manish Kumar S/O Bhim Singh R/O P. C College Buxar, P.S- Buxar
(Mufassil), Distt.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Itarhi P. S. Case No. 266 of 2023 dated 01.12.2023, instituted
for the offence punishable under Sections 420, 120(B), 467, and
468 of the Indian Penal Code.

3. The informant has alleged that his younger
daughter Nirasha Devi co-accused of this case executed a sale
deed on 30.06.2023 in favour of Surendra Singh by showing
that the informant is dead while he is alive and his wife is alive
and his elder daughter is also alive, but the same has been
suppressed and the sale deed has been executed wrongly to
defraud him.

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 petitioner is witness to the sale deed executed by Nirasha Devi in favour of Surendra Singh. There is civil dispute between the parties. It is submitted that co-accused, namely, Nirasha Devi and Surendra Singh have also filed a Title Suit No. 572 of 2023 against the informant and his vendee, namely, Madhuri Devi, in which, the present informant sold the share of his daughters. It is submitted that present informant has already executed a sale deed in favour of of one Madhuri Devi on 19-06-2023 having total area of 99.16 decimals including the share of his two daughters, namely, Asha Devi and Nirasha Devi. Further, it is submitted that Nirasha Devi (Vendor), Surendra Singh (purchaser) and Ram Sagar Singh, who is witness to the sale deed, have been granted anticipatory bail by this Court *vide* order dated 20-07-2024 passed in Cr. Misc. No. 44005 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

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 or surrender before the Court below within



six weeks from today, the petitioner be released on 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 CJM, Buxar, in Itarhi PS Case No. 266 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure,1973.

(Khatim Reza, J)

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