

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42283 of 2024

Arising Out of PS. Case No.-546 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Manish Chaturvedi @ Manish Kumar Chaubey @ Manish Chaubey S/o Late
Kanhaiya Chaturvedi, R/o Village- Mohania Ward No.-10, PO and PS-
Mohania, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Pathak, Advocate.
For the State	:	Mr. Shailendra Kumar, APP.
For the Informant	:	Mr. Avanindra Kumar Jha, Advocate.
	:	Mr. Anand Kumar Tiwari, Advocate.
	:	Mr. Nishikant, Advocate.
	:	Mr. Narendra Kumar Sinha, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Mohania P.S. Case No.546 of 2023 for the offences registered
under Sections 447, 384, 386, 354, 506, 34 of the Indian Penal
Code.

3. As per the prosecution case, informant had
purchased a land from the petitioner and had constructed
boundary wall. Informant lives in Ludhiyana. When she came
back at the time of Covid she found a building has been
constructed on the said land by the petitioner and one
Mandleshwar Chaturvedi. It is alleged that they demanded



Rs.10 lacs in lieu of leave the land.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case at the instance of his enemy. He further submits that on 08.03.2014, partition took place between the family and the petitioner has got 6 decimals land after the partition and constructed house over his allotted share. It is submitted that after coming to know that co-accused had sold the said plot to the informant, he has filed the title suit bearing Title Suit No.902 of 2023 in which the informant is also one of the defendant. Learned counsel submits that petitioner has two criminal antecedents, however, both the cases have been lodged by the family members of the co-accused and he is on bail in both the cases. He further submits that the dispute is civil in nature, petitioner is already in custody since 18.03.2024 and the co-accused namely Mandleshwar Chaturvedi @ Mandaleshwar Chaubey has been granted regular bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No.39258 of 2024. It is further submitted that petitioner undertakes to cooperate in the trial.

5. Learned counsel appearing on behalf of the State and learned counsel for informant oppose the prayer for grant of



bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Mohania, Kaimur in connection with Mohania P.S. Case No.546 of 2023.

(Sunil Dutta Mishra, J)

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