

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42473 of 2023

Arising Out of PS. Case No.-1709 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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PAWAN GOYAL S/O UGRSEN GOYAL R/O VILLAGE- TEKARI ROAD,
PS. KOTWALI, DIST. GAYA, AT PRESENT RESIDING AT 100 NO.
JELIAPARA FIRST WIDE LANE SOUTH HOWRAH, PS. HOWRAH,
DIST. KOLKATA(W.B.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sharda Nand Mishra, Adv.
For the Opposite Party/s :	Mr.Mithlesh Kumar Khare, APP.
	Mr. Mrityunjay Kumar, Adv.
	Mr. Mukesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 11-01-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 424, 120(B) of the Indian Penal Code.

3. Allegedly, having conspiracy with other co-accused persons, petitioner is said to have sold a piece of land which comes under the share of the complainant without his prior consent.

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 ever took place. Petitioner has been falsely implicated in this case due to ulterior motive. Both the petitioner and the informant are full brothers and there is



admitted ancestral property dispute between the parties. The allegation levelled against the petitioner is totally false and based on concocted facts and it is also evident from the reply filed to the counter affidavit. The real fact is that the petitioner has sold the disputed land which comes under his share to the vendee. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail. It is further submitted by learned counsel for the complainant that the petitioner has sold the share of the complainant without his consent as well as without paying any amount for the same to him.

6. Having regard to the facts and circumstances of the case, as there is civil as well as money transaction related 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 lower Court where the case is pending/successor Court in connection with Complaint Case



No. 1709 of 2016, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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