

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46996 of 2024

Arising Out of PS. Case No.-450 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

Shankar Kumar Sah @ Shankar Kumar Gupta Son Of Late Narayan Sah
Village- Jogiara, Ps- Jalley, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Laheriasarai P.S. Case no. 450 of 2023 instituted for the offence under Sections 420, 467, 468 and 471 of the Indian Penal Code.

As per allegation in the FIR, informant has acquired 1 bigha 14 katha and 7 dhur land in mouza Nawada, Anchal-Jalley, Darbhanga bearing Khata No. 06, Khesra No. 586 through registered sale deed dated 12.06.1990 from one Mukund Prasad Singh over which the informant erected a hut and given it on rent to co-accused about four years back. For two and a half years, he had paid the rent honestly on regular



basis and thereafter, he stopped rent payment to the co-accused. It is further alleged that co-accused started saying that he has acquired the same land through registered sale deed from another co-accused Girendra Kumar Singh. On enquiry, it came to light that co-accused Girendra Kumar fraudulently sold his 1 katha 6 dhur to co-accused Ram Eqbal Singh. It is mentioned in said sale deed that co-accused Girendra Kumar Singh got the said land through partition.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted from para-6 of this petition that petitioner is only identifier in the sale deed having possession of the co-accused, Girendra Kumar Singh and share of Girendra Kumar Singh and the same share of grand-father of the informant as well as the co-accused in terms of judgment of decree passed in partition suit as contained in Annexure-2. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Other co-accused have already been granted regular bail by this Court vide order dated 06.02.2024 in Cr. Misc. Nos. 63821 of 2023 and 65126 of 2023.

Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Laheriasarai P.S. Case no. 450 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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