

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53330 of 2024

Arising Out of PS. Case No.-39 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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Tinku Singh @ Suraj Singh @ Tinku Kumar, Son of Late Raj Kumar Singh,
Resident of Barki Babhni, P.S.-Magadh University, District-Gaya, presently
residing at Tikabigha (Bodh Gaya), P.S.- Bodh Gaya, District- Gaya

... .. Petitioner

Versus

1. The State of Bihar
2. Ram Dutt Singh, S/o Late Chotu Singh, R/o village-Barki Babhni, P.S.-
Magadh University, District-Gaya, presently residing at Mohalla- Ashok
Vihar Colony, P.S.-Vishnupad, District-Gaya.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the

complaint and apprehending his arrest in connection with

Complaint Case No.39 of 2021 in which cognizance has been

taken for the offence punishable under Sections 406 and

420 read with 34 of the Indian Penal Code.

3. Allegation against the petitioner is to cheat the

complainant along with others by creating a forged document

qua piece of land. The description of which are given in para-

2 of the complaint petition itself.



4. It is submitted by learned counsel that petitioner has been falsely implicated with present case only for the reason that by passing of time, the price of land has increased manifold since 2009, when the complainant created a registered power of attorney in favour of petitioner and others to sell out his property. It is submitted that the allegation suggest civil dispute and if complainant has any such grievance, he may take appropriate steps to cancel the power of attorney, which was created in favour of petitioner and others. While concluding argument, it is submitted that petitioner was found involved in one more criminal case of different nature, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of the fact that dispute appears civil in nature arises out of registered power of attorney created by the complainant himself in favour of petitioner and others, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks, on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Gaya in connection with Complaint Case No.39 of 2021, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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