

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55541 of 2024

Arising Out of PS. Case No.-296 Year-2023 Thana- BALIYA District- Begusarai

Sulendra Mahto @ Surendra Mahto, aged about 34 years, Male, Son of Late Uchit Mahto, Resident of Kishanpur, Ward No. 15, P.S.- Balia, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arun, Advocate

For the Opposite Party : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-09-2024 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Balia P.S. Case No. 296 of 2023 dated 22.10.2023 registered for the offences punishable under Sections 420, 467, 468, 471, 384 and 448/34 of the I.P.C.

4. As per the prosecution case, the informant’s land was sold by the accused persons on the basis of forged documents. It is further alleged that on 09.07.2023 when the witness nos. 1, 2 and 3 of the complaint were doing work on the said land then the accused persons including the petitioner came



and abused him and demanded rangdari of Rs. 50,000/-.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is cheated by the co-accused, Brajesh Nandan Singh who has executed a sale deed in favour of the wife of the petitioner and others on 11.01.2023. The alleged occurrence took place from 24.06.2023 to 09.07.2023 as to when the F.I.R. has been lodged on 17.07.2023 and delay for the same has not been explained by the prosecution. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 29.03.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Begusarai in connection with Balia P.S. Case No. 296 of 2023



with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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