

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59899 of 2024

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

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Rajeshwar Singh @ Rajesh Kumar Singh Son Of Late Saryu Singh Village-
Barki Babhani, P.S. - Magadh University, Dist- Gaya

... .. Petitioner

Versus

1. The State of Bihar
2. Ramdutt Singh Son Of Late Chhotu Singh Village- Barki Babhani, Ps-
Magadh University, Dist- Gaya P/A-Ashok Vihar Colony, Ps- Vishnupad,
Dist- Gaya

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-12-2024 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
registered for the offence under sections 467, 468,
471, 420, 406 and 34 of the Indian Penal Code,
wherein cognizance has been taken under Sections
406 and 420 read with 34 of the I.P.C.

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 Cr.P.C/Section 482(2) of the Bhartiya Nyaya Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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