

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52234 of 2024

Arising Out of PS. Case No.-77 Year-2022 Thana- PHULPARAS District- Madhubani

Shambhu Nath Yadav Son Of Tripti Narayan Yadav Village- Murli, Ps-
Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakhpati Devi W/O- Yashodhar Prasad Yadav, R/O Vill- Murli, P.S-
Phulparas, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 03-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State. Nobody appears on
behalf of the opposite party no. 2.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406, 420,
467, 468, 120(B)/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he sold the
disputed land in favour of the informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner executed the sale deed in
favour of the informant in the year 2013 but the present FIR has
been filed in 2022 after lapse of 18 years. He submits that there



is no specific overt act against the petitioner. He submits that the present case is purely civil in nature. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that the present case is purely civil in nature, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Phulparas P.S. Case No. 77 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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