

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55290 of 2024

Arising Out of PS. Case No.-735 Year-2020 Thana- DANAPUR District- Patna

=====

Dashrath Kumar, Son of Surjan Prasad @ Sujan Prasad, R/V- Village-
Dayalpur Rajpur, P.S.- Bihta, Distt.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Danapur P.S. Case No. 735 of 2020 registered on 23.12.2020 for the alleged offences under Sections 420, 406, 467, 468 and 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, the co-accused persons executed a sale deed of the land belonging to the complainant and his brother in favour of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case in order to pressurize the petitioner to withdraw his claim with regard to suit land of Title Suit No. 64 of 2022 as the petitioner is defendant no.3 in the



said title suit. The petitioner and complainant are the agnates and there is ongoing land dispute between the parties and the present case is completely a civil dispute. Learned counsel further submits that lodging of the criminal case in such circumstances is total abuse of the process of law. The petitioner is having criminal antecedent of one case in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely civil nature of dispute and also considering the possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Danapur/court concerned in connection with Danapur P.S. Case No. 735 of 2020, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

