

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57631 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- Kavaia District- Lakhisarai

Kundan Kumar Son of Late Brij Bihari Poddar Resident of Village - Adars
Nagar Ward No.22, P.S. - Kabaiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Anand
For the State : Mr. Pranav Kumar
For the Informant : Mrs. Vaishnavi Singh
Mr. Purushottam Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-11-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 406, 420, 341, 323,
504, 506/34 of the Indian Penal Code.

3. As per the FIR, the informant came in contact with the
petitioner, who intimated the informant a land is available for
sale. Thereafter, petitioner along with other co-accused claimed
the land to be genuine and asked the informant for
Rs.1,30,00,000/-. Accordingly, a deal was finalized by giving a
cheque of Rs.18 lacs as advance where the petitioner became a
witness and thereafter Rs.48 lacs was paid in cash and a sale



deed was executed. The land in question was measured and it was not to be as per their claim and on request, Rs.19 lacs were returned back but rest of the money was withheld by the accused persons.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Petitioner is only the witness of the sale deed. Petitioner has four criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Kabaiya P.S. Case No.45 of 2024, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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