

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66597 of 2024

Arising Out of PS. Case No.-511 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Santlal Patel S/O Brija Patel R/O Vill- Katkenwa, P.S. Nakardeyee , Adapur,
District East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rambabu Patel S/o Motilal Patel R/o vill - Katkenwa, ward no. 10, P.S. -
Nakardeyee, Distt. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balgovind Sharma, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Complaint Case No. 511 of 2022 dated 14.12.2022, instituted
for the offence punishable under Sections 420, 468, 323, 504,
506/34 of the Indian Penal Code.

3. As per the allegations in the F.I.R., on 20.07.2021,
the petitioner sold 10 dhurs land of the informant to Bachchi
Devi. It is further alleged that from the same plot of the
informant, the petitioner sold 12 dhurs land to co-accused
Sudama Raut. It is alleged that by making forged and fraudulent
sale deeds, the accused persons including the petitioner sold and



purchased the land of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner has not cheated the informant. It is submitted that petitioner has sold his own share and Title Suit No. 765 of 2022 is going on between the parties. It is submitted that the petitioner is legally bonafide owner of the said sold land and he has got right title and possession of the said land. Learned counsel for the petitioner submits that the present case is of civil in nature. Learned counsel for the petitioner submits that the petitioner and the complainant are descendants of one Tapsi Raut. It is further submitted that co-accused Sudama Raut @ Sudama Patel has been granted bail *vide* order dated 19.07.2024 passed in Criminal Miscellaneous No. 49212 of 2024 and other similarly situated persons have been granted bail by this Court. Lastly, it has been submitted that the petitioner is in custody since 20.06.2024 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner stating that the petitioner, under conspiracy, sold the land of the informant and cheated the



informant.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of the case which is purely civil in nature, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Raxaul at Motihari, East Champaran in connection with Complaint Case No. 511 of 2022.

(Khatim Reza, J)

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