

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61380 of 2023

Arising Out of PS. Case No.-169 Year-2023 Thana- BAHADURPUR District- Darbhanga

Vikas Singh @ Vikas Kumar Son Of Late Mahendra Narayan Singh Village
Jogiara, P.S Bahadurpur (FEKLA Op), District Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Patel

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 420, 406, 504 and 506 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
from perusal of the office report dated 18.03.2024, it would
manifest that same records that opposite party no.2 refused to
receive the notice.

4. In view of the office report dated 18.03.024, the
notice is deemed to have been validly served. It is next
submitted that petitioner is a person with clean antecedent and a
purely civil dispute has been given a criminal colour. It is also
submitted that from perusal of the allegation as alleged in the



F.I.R., it would manifest that the informant alleges that the petitioner illegally sold 07 katthas of land as detailed in the F.I.R. on 02.09.2022 through a registered sale deed, when the said land was already partitioned in between the co-sharer and the same was not part of the share of the petitioner. Further, when the informant objected, he was abused and threatened by the petitioner and his cousin brother.

5. The learned counsel for the petitioner submits that from perusal of the genealogical table annexed as Annexure-2 to the anticipatory bail application, it would manifest that petitioner is cousin grandson of the informant and they are having dispute relating to ancestral property. It is also submitted that if the informant is aggrieved by the execution of sale deed with respect to a land by the petitioner, in that event, the informant ought to have moved before a Court of competent jurisdiction for getting the sale deed cancelled. It is also submitted that in civil proceedings, the petitioner would also get an opportunity to rebut the claim of the informant.

6. Learned A.P.P. opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Darbhanga in connection with Bahadurpur (Fekla O.P.) P. S. Case No.169 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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