

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71363 of 2024

Arising Out of PS. Case No.-217 Year-2024 Thana- ARARIA District- Araria

Gaya Prasad Bhagat Son of Late Baidyanath Prasad Bhagat Village
-Basantpur ward no 26 Police Station- Araria District -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

3. As per prosecution case, this petitioner alongwith co-accused Vidya Devi executed sale-deed in favour of Niraj Kumar Verma, Rajiv Ranjan and Raushan Kumar Verma on 20.11.2015 from Khata No. 2488 Plot No. 9775 and from Khata No. 2487 Plot No. 9771. It is alleged that the sale-deed in question was executed for lesser area as compared to the agreement.

4. Learned counsel for the petitioner submits that as per F.I.R. itself, petitioner is alleged to be one of the seller of



land. He next submits that this petitioner has sold his share of land, received from ancestral property. After execution of sale-deed, land has also been mutated in favour of aforesaid purchasers. Moreover, the dispute involved in this case is predominantly of civil nature. Similarly situated co-accused Vidya Devi has already been granted anticipatory bail by this Court, vide order dated 25.09.2024 passed in Cr.Misc. No. 63648 of 2024.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 217 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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