

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69821 of 2024**

Arising Out of PS. Case No.-987 Year-2022 Thana- BIHAR District- Nalanda

Shekhar Raj, (Male), aged about 28 years, Son of Awdhesh Prasad @  
Avadhesh Prasad, Resident of village - Pachauri, Police Station - Deepnagar,  
District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Nilendu Kumar Choudhary, Advocate  
For the Opposite Party : Mr. Anil Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      21-09-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bihar  
P.S. Case No. 987 of 2022 dated 13.12.2022 registered for the  
offences punishable under Sections 419, 420, 467, 468 and  
471/34 of the I.P.C.

3. As per the prosecution case, the informant has  
purchased a piece of land bearing Plot No. 72, Khata No. 137,  
Area 10.78 decimals through a registered sale deed on  
06.10.2018 for total consideration amount of Rs. 35,07,000/-  
from one Brahamdeo Prasad and came in possession of the  
same. It has further been alleged that after sometime, Mintu  
Kumar started creating obstruction in peaceful possession of the



informant and upon inquiry, he said that the said land has been purchased in the name of his wife vide Sale Deed No. 11830 dated 29.08.2022. The informant has alleged that Mintu Kumar has got the sale deed executed in favour of his wife after impersonating him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is only the Identifier of the sale deed in question. It is further submitted that the co-accused Mintu Kumar and the informant are full brothers. The co-accused Mintu Kumar purchased the said piece of land in the name of his brother (informant) and he had paid the entire consideration amount to the original vendor, namely, Brahamdeo Prasad from his own account before execution of sale deed. The petitioner is neither the vendor nor the expectant of the sale deed. It is a case of civil dispute. It is submitted that the other co-accused person, namely, Mona Kumari, has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 83670 of 2023 under order dated 06.03.2024, annexed as Annexure-P/3 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.07.2024.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Nalanda at Biharsharif in connection with Bihar P.S. Case No. 987 of 2022 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

U.K./-

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