

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74194 of 2023

Arising Out of PS. Case No.-3035 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

Nagendra Kumar, son of Om Prakash Yadav, R/o vill - Faridpur Jamui, P.O. -
Jamui, P.S. - Dulhin Bazar, Distt. - Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Babita Devi Wife of Sri Nagendra Pathak R/o vill - Faridpur Jamui, P.O -
Jamui, P.S. - Dulhin Bazar, Distt. - Patna

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 16-05-2024 Heard learned counsel appearing on behalf of the

petitioner, learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner is named in Complaint

case and apprehending his arrest in connection with

Complaint Case No. 3035(C) of 2020 registered for the

offences punishable under Sections 420, 465, 468, 471,

323, 341, 379 and 120-B of the Indian Penal Code.

3. The allegation against above named petitioner is

to cheat informant by creating a false and fabricated sale

deed alongwith other co-accused persons for a piece of land,

details of which mentioned in para -1 of the complaint itself.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated with present case without no reason. It is pointed out that petitioner is not the beneficiary of alleged transfer of land and his implication only appears being an attesting witness. It is submitted that similarly situated co-accused persons have already granted bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 70541 of 2023 dated 07.11.2023. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact, as petitioner is not a beneficiary of the alleged land transaction, where implication appears only being an attesting witness, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate, 1st Class,
Patna/concerned Court, where the case is pending in
connection with Complaint Case No. 3035(C) of 2020,
subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

(Chandra Shekhar Jha, J.)

Rajeev/-

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