

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77070 of 2023

Arising Out of PS. Case No.-863 Year-2022 Thana- TURKAULIYA District- East
Champaran

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MAYANK Son of Mukesh Kumar VILLAGE BALGANGA KALAMBAG
ROAD PS MUSHARI DISTRICT MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Neelmani Singh Son of Late Rana Rajendra Singh R/o Mohalla -
Chandmari, Near M.S. College, P.S. - Town, Distt. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhukar Anand, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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

ORAL ORDER

2 10-01-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in

connection with Turkauliya (Raghunathpur) P.S. Case No. 863

of 2022 dated 03.09.2022 registered for the offence/s punishable

u/ss 420, 467, 468, 471 and 120B of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the

co-accused persons are alleged to have sold two Kathas of land

of the informant by creating forged Jamabandi in Khata No.



205, Khesra No. 20. It is further alleged that the accused persons forcibly asked the informant to execute the power of attorney to sale out his land and when he objected, they also demanded extortion money.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that after the death of one Binayak Shamsheer Rana, his wife namely, Late Uma Rana got the land mutated in her name in the year 2012 and since then the revenue was paid by her and no one has challenged Jamabandi No. 1706 which was registered in the name of Late Uma Rana. It is further submitted that Uma Rana has sold the land appertaining to Mauja- Raghunathpur, Khata No. 205 and Khesra No. 20, on 26.02.02015. Learned counsel has further submitted that one Bindu Samsher Rana @ Bindu Samsher Jang Bahadur Rana executed the registered power of attorney deed in favour of the petitioner to execute the sale deed relating to the land appertaining to Jamabandi No. 1706, Khata No. 205, Khesra No. 20 and on the basis of the aforesaid power of attorney, the petitioner sold the land in question. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently



opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 863 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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