

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74602 of 2023

Arising Out of PS. Case No.-332 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Kishore Kumar Pathak @GUDDU Pathak S/O Late Krishnadeo Pathak
Mohalla- Oli Tola Near Jalsa Chunapur, Road (SIPAHI Toal), Ps. K. Hat,
(MADHUBANI), Dist. Purnea Petitioner/s

Versus

1. The State Of Bihar
2. Payal Kumari D/O Late Maheshwar Prasad Mohalla- Shastrinagar, Ps. K.
Hat, (MADHUBANI), Dist. Purnia

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Singh, Adv.
For the State	:	Mr.Binod Kumar, APP
For the Complainant	:	Mr. Sanjay Kr. Mandal, Adv. Mr. Santosh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 323,
354(A), 354(D) and 406 of the Indian Penal Code.

3. Allegation against the petitioner is that he took Rs.
7,10,000/- from the complainant in lieu of registration of land
but he did not execute the sale deed.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that both the parties have executed a bond
paper in which they have stated that matter has been
compromised between them and they have not willing to
proceed in the case and thereafter, on the same day the petitioner



has executed sale deed in favour of Soni Devi mother of the complainant vide sale deed No. 20372 on 22.09.2023. He submits that no case under Section 406 of the IPC is made out against the petitioner and rest Sections 323, 354(A) and 354(D) of the IPC are bailable in nature. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the complainant oppose the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 332 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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