

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77554 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- TETERHAT District- Lakhisarai

Bambam Yadav Son of Late Dhaneshwar Yadav Resident of Village-
Mahisona, P. S. - Tetarhat, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2024 Heard Mr. Rajesh Kumar, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in connection with
Tetarhat P.S. Case No. 119 of 2023 registered for the offences
punishable under Sections 420, 406, 120(B) of the Indian Penal
Code.

3. The prosecution case, in brief, is that the petitioner had
given proposal to the informant to sell the land in question at the
rate of one lakh thirty five thousand per *kattha* to get registered
upto 14.10.2023 after making full payment. The informant made
payment of Rs. 9 lacs to the petitioner in presence of witnesses
and one Subhash Yadav in advance and thereafter, an agreement
paper was also prepared at Lakhisarai Court campus after taking



money. It is further alleged that the petitioner along with other accused persons executed the said land in favour of one Pinky Devi with the help of Parmanand Prasad and when the informant asked the petitioner about the same, he was told that he has been defrauded.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is an admitted land dispute between the parties and for the said land in question, a title suit bearing Title Suit No. 21 of 2024 has also been filed by the informant. The petitioner has also filed a case against the informant bearing Complaint Case No. 438C of 2023. It is further submitted that several independent witnesses had been examined, but nobody has supported the prosecution case. The alleged agreement between the parties is quite suspicious. There is no cogent material available on record to show the complicity of the petitioner in the present case. Learned counsel further submits that there is civil dispute between the parties and petitioner has no criminal antecedent as mentioned in para-3 of



this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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