

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81197 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Dewant Kumar Mishra S/O Om Prakash Mishra R/O Village- Kritpura, P.S.-
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Baikunthpur P.S. Case No. 407 of 2023 dated 29.11.2023,
instituted for the offence punishable under Sections 467, 468,
471 and 420/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along
with other accused persons has got the land of the informant
registered fraudulently in their favour.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that petitioner is not named in the F.I.R..
During course of the investigation name of the petitioner has
come in this case. It is submitted that the sale deed has been



executed by Om Prakash Mishra and Jai Prakash Mishra in favour of Upendra Singh, Urmila Devi and others. It is submitted that similarly situated persons, namely, Mister Miya has been granted anticipatory bail by this Court *vide* order dated 19.07.2024 passed in Criminal Miscellaneous No. 52210 of 2024. It is also submitted that other co-accused persons, namely, Urmila Devi, Upendra Singh and Jai Prakash Mishra have been granted anticipatory bail *vide* order dated 20.05.2024 passed in Criminal Miscellaneous No. 30082 of 2024. It is further submitted that the informant himself has filed a Title Suit No. 1222 of 2023 on 23.11.2023 for declaration of title and cancellation of sale deed which is pending for adjudication. It is submitted that nature of allegation mentioned is purely civil in nature. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Baikunthpur P.S. Case No. 407 of 2023, he shall be released on anticipatory bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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