

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79801 of 2024

Arising Out of PS. Case No.-182 Year-2022 Thana- VIJAYEPUR District- Gopalganj

Jitendra Prasad @ Jitendra Prasad Srivastav Son of Jagbadur Prasad Resident
of Village-Gokula Path Road No-02, Gokula Nagar Kachahari Road
Kharpakwa, P.S-Mirganj, Distt.-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Vijayipur P.S. Case no. 182 of 2022 instituted for the offence under Sections 406, 420, 467, 468 and 120B/34 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the informant was interested to purchase the land so that he had talked with one Chandrashekhar Tiwari and Anil Thakur for the land of Santosh Dubey bearing Khata No. 35, Plot Nos. 221 and 224 of area, 7 'kathas' 15 'dhurs'. It is also stated that the informant paid Rs. 7,60,000/- to Santosh Dubey and he



executed a sale deed on 07.01.2022 with respect to the aforesaid land. It is further alleged that when the informant perused the copy of the sale deed, he found that only Rs. 4,60,000/- has been mentioned in the sale deed. It is further alleged that when the informant went to the aforesaid land, the '*Pattidar*' of Santosh Dubey said that Santosh Dubey has only 7 '*dhurs*' share in the aforesaid land for which a '*Panchayti*' was held and Santosh Dubey agreed to return the money of informant of Rs. 7,60,000/- in presence of the '*Panches*' but on 10.03.2022, he refused to return his money and threatened of dire consequences. Accordingly, the FIR.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that petitioner is merely a deed writer and from perusal of the FIR, it is clear that there is no allegation except that a deed writing is there against this petitioner. Further submission is that the petitioner has no intention to cheat the informant.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Vijayipur P.S. Case no. 182 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV, Gopalganj, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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