

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86062 of 2023

Arising Out of PS. Case No.-1108 Year-2021 Thana- PHULWARISHARIF District- Patna

Chandan Kumar Son Of Chandeshwar Rai Resident Of Village- Manjholi,
P.S.- Phulwarisharif. District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Phulwari Sharif P.S. Case No. 1108 of 2021 dated 16.12.2021
instituted for the offence punishable under Sections 406, 420, 467,
468/34 of the Indian Penal Code.

3. The prosecution case, in short, is that Co-accused
Santosh Rai and his wife Puja Devi received money Rs. 6,66,000/-
at the pretext of getting registered his land in favour of the
informant's husband, but neither they have registered the said land
in his favour nor returned the money. Allegation against the
petitioner is that he, at the time of negotiation of the said
agreement, was present there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that nothing has come against the petitioner. Learned counsel for petitioner further submits that the neither the petitioner has executed any agreement nor he has received any money for the same. Learned counsel for the petitioner submits that as per the F.I.R., the present case is related to land dispute between Santosh Rai and the informant side. Learned counsel for the petitioner further submits that there is no specific allegation against the petitioner. Lastly, it has been submitted that petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory 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 Phulwari Sharif P.S. Case No. 1108 of 2021, he will 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 A.C.J.M, XIV, Patna subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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