

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.251 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- CHANDAUTI District- Gaya

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Rajesh Kumar S/o- Tilakdhary Yadav @ Tileshwar Yadav R/o vill- Kujapi,
P.S- Chandauti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-02-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Chandauti P.S. Case No. 85 of 2023 dated 02.02.2023 registered for the offence/s punishable under Sections 406 & 420 of the Indian Penal Code.

4. As per the prosecution case, allegation against the petitioner is that he falsely took the land of the informant's father through unfair means by standing his son in place of his father in the Registry office.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. He



further submits that the petitioner is neither the author of the alleged occurrence nor he had any knowledge about the same. The petitioner is the purchaser of the said land. There is no eye-witness of the case. There is a delay of seven months in lodging the F.I.R. and there is no reason for explain the same. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, been larged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Chandauti P.S. Case No. 85 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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