

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6916 of 2024

Arising Out of PS. Case No.-8247 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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BIRENDRA SAH SON OF LATE RADHE SAH RESIDENT OF TEJ PRATAP NAGAR, ANISHABAD, P.S. - BEUR, DISTRICT - PATNA, AT PRESENT RESIDING IN SHIDHESHWAR NAGAR, MAINPURA, P.S. - PATLIPUTRA, DISTRICT - PATNA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. CHANCHAL KUMARI WIFE OF SANTOSH KUMAR RESIDENT OF HOUSE NO.170, SHIDHESHWAR NAGAR, MAINPURA, P.S. - PATLIPUTRA, DISTRICT - PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bibhakar Tiwary Mr. Sunil Kumar Singh, Adv
For the Opposite Party/s :		Mr.Rajendra Nath Jha
For the Informant	:	Mr. Vaibhav Vikarm Singh Mr. Vishesh Kumar Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with
Complaint Case No. 8247(C)/2022 registered on 06.07.2022
under Sections 420, 467, 468 of the I.P.C.

3. As per the prosecution case the petitioner has sold
the particular piece of land to complainant and case of the
complainant is that the land which was sold to him has already
been sold to some other person appertaining to Khatata No. 651,
Plot No. 441 situated in Mauza Chapaur, P.S. Masaurhi, Patna.



Counsel for the petitioner has filed the supplementary affidavit in which he has categorically stated that the land in question has not been sold by him to any other person, and, therefore, allegation leveled against him is false. Counsel further submit that petitioner is in custody since 12.10.2023 having four criminal case pending against him, in which he is on bail.

4. Learned counsel for the State opposes the prayer for bail.

5. Learned counsel for the informant submits that petitioner is a professional cheater and only due to this reason there are in total five complaint case including the present one which is filed against him in which he has basically cheated and committed breach of trust with different persons relating to land.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted ***provisional bail*** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 8247(C)/2022, subject to the condition laid down under Section 437 (3) of the Cr.P.C.

7. The petitioner is directed to provide the physical



possession of the land to the informant within 60 days and the informant is directed to prepare his boundary walls, and thereafter, a certificate shall be filed before the Court within one month thereafter, and after obtaining consent from the complainant, the trial Court is directed to confirm the provisional bail of the petitioner. But, in case, the present petitioner/accused starts evading from doing such work as directed by this Court, his provisional bail shall be cancelled by the Court below itself.

(Dr. Anshuman, J)

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