

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1894 of 2025**

Arising Out of PS. Case No.-89 Year-2024 Thana- COMPLAINT CASE - RAXAUL AT  
MOTIHARI District- East Champaran

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Munna Kumar @ Surendra Prasad Son of Pyarelal Prasad Resident of village  
- Anandiganj Makhaliya, Ps- Palnawa, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jai Prakash Prasad son of Late Vishwanath Prasad village- Koiriya tola,  
Ward no. 25, Ps- Raxaul, Dist- East Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Adv

Mr. Hemant Ray, Adv

For the State : Mr.Md. Aslam Ansari, APP

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      24-07-2025                      Heard learned counsel for the petitioner, and learned  
APP for the State.

2. Petitioner apprehends his arrest in a case registered  
for the offences punishable under Section 420,34 of the Indian  
Penal Code.

3. The prosecution case in the complaint is that the  
complainant had purchased a land for consideration amount of  
Rs. 2,62,000/- from one Kumar Shatru @ Guddu and  
subsequently, he got to know that the said land was already sold  
to one Mukesh Kumar and Santosh Kumar.

4. Learned counsel for the petitioner submits that the  
petitioner has been made an accused in this case with no  
specific allegation against him and no role having been  
attributed to him. Neither in the complaint nor in the statement



of the complainant on solemn affirmation any direct allegation against the petitioner features. Rather it is clear that co-accused Shatru @ Guddu is the owner of the said land and it is he, who sold the land also to Mukesh Kumar. The petitioner neither received money from the complainant nor had he entered into an agreement. The petitioner has clean antecedent.

6. Learned APP for the State opposes the anticipatory bail.

7.Taking into consideration all the facts and circumstances and also considering that the petitioner has no criminal antecedent, let the petitioner, in the event of his arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> class, Aurangabad, Bihar in Complaint Case No. 89 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

N.K/-

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