

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17930 of 2025

Arising Out of PS. Case No.-174 Year-2004 Thana- BARACHATTI District- Gaya

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Ashok Yadav Son of Late Dhaneshwar Yadav Resident of Village -
Sindhugarh, P.S.- Mohanpur (Barachatti), District - Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramanti Devi W/O Tilak Yadav, R/O - Village - Sindhugarh, P.S. Mohanpur,
District- Gaya, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, APP

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 06-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Barachatti

(Mohanpur) P.S. Case No. 174 of 2004 registered for the offences

under Sections 342, 323, 468 and 34 of the Indian Penal Code.

3. The petitioner is named in the F.I.R. and is in custody

since 12.01.2025

4. The allegation against the petitioner as per complaint

case is that he got executed sale deed of a land from the husband

of the complainant, who was not mentally fit at the time of

execution of sale deed.

5. Learned counsel appearing on behalf of the petitioner



submitted that apparently present dispute is civil in nature for which present criminal prosecution was completely unwarranted and un-ocassioned. It is submitted that if the version of complaint believed it suggest that her husband was mentally fit and working at Kolkata. It is pointed out that complaint in issue was lodged after the delay of almost one month from the date of execution of sale-deed. While concluding the argument it is submitted that after investigation police exonerated this petitioner and submitted final form, but learned Jurisdictional Magistrate on the basis of material available on record took cognizance against petitioner, and moreover, investigation has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer for bail submitted that as per sale-deed consideration amount of Rs. 12,000/- required to be paid to complainant and, therefore, same cannot be said absolute. However, fairly conceded that same was not challenged before Court of law.

7. Considering aforesaid, learned counsel for the petitioner is ready to pay balance amount of Rs. 12,000/- at the time of furnishing bail bond to informant namely Ramanti Devi.

8. In view of aforesaid facts and circumstances as



mentioned above and by taking note of fact as nature of accusations, which is primarily civil dispute, coupled with the fact as petitioner remains in custody since 12.01.2025, accordingly above named petitioner, is directed to be released on bail in connection with Barachatti (Mohanpur) P.S. Case No. 174 of 2004 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st, Sherghatti (Gaya)/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S. with following condition:-

- (i). Petitioner is directed to pay complainant Ramanti Devi, Rs. 12,000/- at the time of furnishing bail bond in view of his submission.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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