

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17334 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- GORIAKOTHI District- Siwan

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Munna Kumar @ Munna Kumar Singh @ Munna Singh Son Of Late Jagdish Singh Resident Of Village - Goreya Kothi, P.S. - Goreya Kothi, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-05-2025 Heard Learned counsel for the petitioner, Learned APP for the State and Learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Goreakothi P.S. Case No. 02 of 2024 lodged on 01.01.2024, for the offence punishable under Sections 406, 420, 468, 471, 504, 506 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner with allegation that petitioner and other accused persons have sold the informant's land without his knowledge and informant became surprised when boundary wall was constructed on his land. Thereafter, the present case was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that admittedly from the Annexure-P/2 i.e. genealogy table of the family, it transpires that informant and petitioner comes from the branch of their common ancestor namely, Basti Singh. Counsel submits that informant periodically used to visit the village and the alleged sale deed was made in the year 2014, whereas, the present case has been lodged on 2024. Counsel submits that *vide* Annexure-P/3, it become crystal clear that a application has been filed by the informant before the Circle Officer in the year 2022 in which notices have been issued. Counsel submits that the present case has been lodged only with a view to create undue pressure upon the petitioner. Counsel further submits that petitioner has no criminal antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is true that sale deed was made in the year 2014, but the present case has been lodged in the year 2024 and he also admits the genealogy table of the family which is annexed as Annexure-P/2 of the bail application.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that genealogy table of the



family is annexed as Annexure-P/2 of the bail application from which it transpires that informant and petitioner comes from the branch of their common ancestor namely, Basti Singh.

7. It transpires to this Court that both parties are co-sharers and if, there is a dispute relating to land, then there is remedy available to resolve the same before the appropriate forum.

8. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Siwan, in connection with Goreakothi P.S. Case No. 02 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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