

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32830 of 2025

Arising Out of PS. Case No.-916 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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NIRAJ KUMAR S/o- Ashok Kumar Thakur R/o- Ganga Vihar Colony, Digha
Ghat, Ps- Digha Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Usha Devi @ Malti Devi W/o- Budhi Chandra Village- Langhaura Ps-
Harnaut Dist- Nalanda, P/A- Narsaliganj Nai Sarai Ps- Bihar Dist- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 419, 420, 465, 467, 468,
471, 120(B), 504 and 506 of the Indian Penal Code .

3 . As per the complaint case , co-accused Sita Devi
had purchased her land from one Lalmuni Devi, who registered
the land in question in the name of the petitioner by
impersonating the complainant. It is further submitted that
petitioner had purchased the land in the year 2013 and the
instant complaint case came to be instituted in the year 2021. It
is next alleged that the name of the seller as recorded in the sale



deed is Malti Devi, who is none other than the complainant but then the complainant is alleging that the land was not sold by her but by one Lalmuni Devi, who impersonated her and the petitioner was aware of the impersonation still she purchased.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged. It is further submitted that it absolutely does not stand to reason that as to why it took seven years for the complainant to institute the instant complaint case . It is next submitted that the complainant ought to have approached a court of competent jurisdiction for getting the sale deed cancelled so that accused person could have got an opportunity to rebut her claim but then the complainant intends to recover the land through criminal proceeding. Moreover, the dispute involved in this case is purely civil in nature . Similarly situated co-accused persons have already granted bail by this Court vide order dated 25.03.2025 in Cr. Misc. No. 9141 of 2025 .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be



enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in Complaint Case No. 916C/ 2021 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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