

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54579 of 2023

Arising Out of PS. Case No.-270 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Mukesh Singh @ Mukesh Kumar Singh Son of Upendra Singh Resident of
village - Fatehpur, P.S. - Raghopur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offences under Section 420 of the Indian
Penal Code.

3. Petitioner is alleged to be witness of the sale-deed
in question.

4. Learned counsel for the petitioner submits that
petitioner is neither vendor nor vendee of the alleged sale-deed
and has been made accused in this case merely because he was
witness to the sale-deed. Petitioner is not beneficiary of the
alleged transaction. He is neither vendee nor vendor of the land.
Moreover, the dispute involved in the complaint petition is
purely of civil nature and none of the acts give rise to any



criminal liability. It is out-and-out a civil dispute, for which, complainant has got some other remedy. As per complaint case, specific allegation is against co-accused Upendra Singh, who has already been granted anticipatory bail by this Court, vide order dated 09.07.2024 passed in Cr.Misc. No. 18942 of 2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 learned J.M. 1st Class, Madhubani in connection with Complaint Case No. 270/2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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