

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62411 of 2024

Arising Out of PS. Case No.-163 Year-2020 Thana- CIVIL LINE District- Gaya

Praveen Kumar @ Pravin Kumar S/O Late Janardan Pandey R/O House No. 236 B, Road No. 3 B1, West of Wazir Apartment, New Patliputra Colony, P.S- Patliputra, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bindu Mishra wife of Pramod Kumar Mishra Resident of Mohalla Near Janani Hospital P.S. Civil Lines, Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritwik Thakur, Adv
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 16-06-2025 Heard learned counsel for the petitioner, learned App
for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 420, 467, 468, 406, 464, 463, 465, 466, 469, 470, 471, 474, 504, 506 and 120B of the Indian Penal Code.

3. Despite notices having been issued to the opposite party no. 2, no one appears on behalf of O.P. No. 2.

4. The allegation in the FIR is that the informant jointly with the accused persons had purchased 10 acres of land whereafter, she was ousted from the house by the accused no.



1, Pramod Kumar Mishra and when she wanted to sell her share of land, she found that a petrol pump was running on the said land.

5. Learned counsel for the petitioner submits that the petitioner is actually the lessee, who has taken the concerned land on lease for 30 years from the lessor who is the accused no. 1 Pramod Kumar Mishra, the Director of Magadh Developers India Ltd. It has been submitted on behalf of the petitioner that the petitioner is the owner of Petrol Pump, which is running on the land of the lessor, Pramod Kumar Mishra, who is accused of the case and also the husband of the Opposite party no. 2 that is the present complainant. It has further been submitted that the land is on lease for 30 years and reliance has been placed upon Annexure-2 which is sub-lease agreement between the present petitioner and the HPCL. It has also been submitted that the thrust of the allegation of cheating and forgery is against accused no. 1, Pramod Kumar Mishra and accused no. 2 and 3 and further the present petitioner has also alleged to be involved in the conspiracy. It has also been brought to the notice of this court that even the accused Pramod Kumar Mishra has filed a case against the present informant and other accused persons alleging therein that the informant



has fraudulently shown herself to be the wife of the said Pramod Kumar Mishra and has been raising false claims.

6. Learned APP for state opposes the bail application.

7. Be that as it may taking the entire facts and circumstances into consideration, it would be clear that so far as petitioner is concerned, he is not related to the family of accused Pramod Kumar Mishra and he is running his petrol pump by virtue of valid documents and hence no allegation of cheating, forgery are made out against the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall 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 court below where the case is pending/ successor court in Civil Line P.S. Case No. 163 of 2020, 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)

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