

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65923 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- PARAIYA District- Gaya

Prince Kumar Son of Subedar Singh Resident of Village - Kurmain, P.S.-
Paraiya, District - Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi W/O - Janardhan Singh R/O Village Kurmain P.S. Pariya Dist
Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Adv

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail in a case registered for the
offences punishable under Sections 419, 420, 423, 407, 468,
471, 120B of the Indian Penal Code.

3. Despite issuance of notice to the OP.No.2 through
valid process no one appears on her behalf.

4. The allegation made in the FIR is that out of the
total land of 95.25 decimal purchased by the informant by a
valid sale deed for which she was even depositing the rent fee,
she came to know that the receipt shows only 47.2 decimals of
land. Further allegation is that the informant and her husband



raised the question before the Halka Karamchari with regard to 48 decimal of land in favour of Prince Kumar (petitioner) from the share of the informant. Further, when the informant came to the Registry Office for verification of the sale deed, she found that the same sale deed was executed by one Chandrika Yadav in favour of Sanju Devi.

5. Learned senior counsel for the petitioner submits that it would be clear from the narration made in the FIR itself, that the sale deed by which 48 decimal of land was sold to someone else clearly shows that the same was executed by one Chandrika Yadav in favour of Sanju Devi and the petitioner himself is not aware as to how the mutation document has been shown in his favour. A suspicion has been raised on the petitioner with regard to some foul play made by the Halka Karamchari and it is the contention of the petitioner that some unknown persons along with the Halka Karamchari have colluded with each other and have dragged the petitioner also in the entire scenario. The petitioner has no concern with the land in question and he never purchased any land from any body so no question arises with regard to the mutation of the land in his favour. In any view of the matter, it is also contended that no offence under section 420 or 468 would be applicable against



the petitioner and further the allegations are purely of civil nature and other alternate civil remedies are also available to the informant.

6.The learned APP for the State opposes the prayer for bail.

7. In the facts and circumstances, the petitioner has no concern with the said land and the petitioner is a student with no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today, the petitioner 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 Paraiya P.S.Case No. 407 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioners shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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