

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66761 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Prabhat Kumar @ Raja son of Gopal Tiwari Resident of Village -Berai, Police Station- Sarai, Dist- Vaishali, Permanant R/o Vill- Bajitpur, PS- Hajipur Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2025 At the outset, learned counsel for the petitioner prays for and is granted permission to make correction in the address of the petitioner in the cause title, during course of the day.

2. Heard learned counsel for the petitioner and the State.

3. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

4. According to F.I.R., this petitioner is alleged to have sold joint family property of the informant for which partition suit No. 302 of 2023 is already pending before learned Sub-Judge-VI, Vaishali at Hajipur.

5. Learned counsel for the petitioner submits that petitioner has committed no offence and he has falsely been



implicated in this case. As a matter of fact, petitioner and informant are co-sharers of the land in question and petitioner has sold the land of his own share and partition suit No. 302 of 2023 is already pending between the parties before learned Sub-Judge-VI, Vaishali at Hajipur which was filed by the father of petitioner in which informant is also party as respondent No. 6. He further submits that Khatiyan of the land in question bearing Khata No. 106, Khesra No. 599 is in the name of grand father of the petitioner and others and total measuring area is 28 decimal. Moreover, dispute involved in this case is of civil nature. Petitioner has got clean antecedent.

6. Learned A.P.P. for the State vehemently opposed the bail application.

7. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No. 160 of 2024, subject to condition as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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