

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73819 of 2024**

Arising Out of PS. Case No.-1128 Year-2023 Thana- KHAGARIA District- Khagaria

Purushottam Singh @ Purushottam Kumar Son of Late Devo Singh Resident  
of Village-Sanhauli, PS-Chitragupta Nagar, District-Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nand Kishor singh, Son of Late Jano Singh R/O- Village- Sanhauli, P. S.-  
Chitragupta Nagar, District- Khagariai

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr.Amit Kumar, Advocate      |
| For the Opposite Party/s | : | Mr.Md. Mushtaque Alam, APP   |
| For the Informant        | : | Mr. Sushant Kumar, Advocate  |
|                          |   | Mr. Abhishek Anand, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      21-01-2025                      Heard Mr. Amit Kumar, learned counsel for the  
  
petitioner, Mr. Sushant Kumar duly assisted by Abhishek Anand  
  
appearing for the informant and Mr. Mushtaque Alam, learned  
  
APP for the State.

2. The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 419, 420,  
385, 379, 504 and 506/34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner  
has sold the land of the informant measuring 1 *katha* and 10  
*dhoors*. In that sale deed, Abhishek Kumar and Sanjay Kumar  
were the witnesses. When the informant came to know, he  
objected to it. The informant sent a pleader notice against the



purchaser and the purchaser has replied the same. From the reply of the notice, it is clear that in paragraph-2, it is admitted that the land was disputed one. Though it is also clear that the petitioner may also have disputed title over it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. In any view of the matter, if the land is sold without title, real loser is the purchaser because no one can transfer the better title than what he has. If the petitioner was having no title then his purchaser will also get no title. In view of this analogy, the real loser is not the informant rather Chandan Kumar who is purchaser for consideration but Chandan Kumar has not filed any case. Moreover, the petitioner is languishing in judicial custody since 13.07.2024.

5. Learned counsel for the informant has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 1128 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Khagaria.

**(Ashok Kumar Pandey, J)**

Jagdish/-

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