

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80388 of 2024

Arising Out of PS. Case No.-601 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Kiran Devi S/O Shailendra Yadav @ Shailendra Kumar Resident of village - Radhey Bigha , P.S.- Narhat , District -Nawada.
 2. Shailendra Yadav @ Shailendra Kumar S/O Late Shivnandan Prasad Singh Resident of village - Radhey Bigha , P.S.- Narhat , District -Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar S/O Late Kedar Singh Resident of village - Bhadesni , P.S.- Hisua , District -Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 Learned counsel for the petitioners, at the outset, seeks for withdrawal of the anticipatory bail application on behalf of petitioner no. 2 Shailendra Yadav.

2. Permission is accorded.

3. Accordingly, the application on behalf of petitioner no. 2 is dismissed as withdrawn. The petition only survives against petitioner no. 1.

4. Heard learned counsel for the petitioner no. 2 and learned Additional Public Prosecutor for the State.

5. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 420, 323, 341, 34 of the Indian Penal Code. .



6. The allegation in the first information report is that the petitioner no. 2 made his wife impersonate another lady and executed the land in question to the complainant.

7. Learned counsel for the petitioner submits that the allegations made in the complaint are basically a civil dispute and the petitioner no. 1 is a lady who is not aware of the intricacies of registration of land etc. The allegation in the complaint is also mainly against petitioner no. 2 that he made her stand in place of some other lady. However, the complainant has not produced any substantial evidence in support of his allegation. This being a complaint case there has been no investigation as such with regard to the authenticity of the same.

8. Learned counsel for the opposite party no. 2, however, submits that after inquiry cognizance has been taken in the case under Section 420 of the IPC and hence, a case of cheating against the petitioner is made out.

9. Taking the rival contentions into consideration and also considering that the petitioner no. 1 is a lady and for such special consideration, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees 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 connection with Complaint Case No. 601 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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