

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80306 of 2024

Arising Out of PS. Case No.-533 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Biro Tanti Son of Late Sanichar Tanti Resident of Village- Suja, Shanti Nagar,
P.S.- Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rajkumar Sahu Son of Late Parmeshwar Sahu Resident of Village- Lohiya
Nagar, Ward no. 26, P.S.- Nagar (Lohiya Nagar O.P.), Distt.- Begusarai

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 27-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 120(B),
420, 186, 200, 406, 423, 467, 468 and 471 of the Indian Penal
Code.

3. The case of the prosecution is based on complaint
petition that on 25.04.2017, a person came to the shop of one
Sanjay Kumar Sahni and introduced himself as Vinod Das and
gave proposal to buy land having an area of 16 ‘Katha’ 07
‘dhur’ which is in his possession. Sanjay Kumar Sahni refused
this proposal. After this accused, Biro Tanti (the petitioner



herein) went to the son of the complainant's son, namely, Vinay Kumar and offered him the same but he also denied. It is further alleged that accused, Biro Tanti showed all the related documents of that land and after that the complainant and one Sanjay Kumar Sahni were ready to buy the land at Rs. 16,20,000/-. On 26.06.2017, the complainant and Sanjay Kumar Sahni gave a total sum of Rs. 2,00,000/- and made an unregistered '*mahadnama*' and after that the complainant gave Rs. 8,10,000/- to the petitioner, Biro Tanti in the presence of co-accused persons and the accused persons registered the land in the name of Sanjay Kumar Sahni and his brother, Shambhu Kumar on 15.12.2017 and rest 7 '*katha*' land was registered in the name of the complainant on 28.12.2017 at a cost of Rs. 2,80,000/- In the last week of February, 2018, when the complainant went on his purchased land then he came to know that someone cheated him and falsely registered the land of Vinod Das and the complainant also met with Vinod Das in this regard and then Vinod Das said that this land is in his possession and after that the complainant inquired about the person and then he knew that Biro Tanti is the original accused. Hence the FIR.

4. Learned counsel for the petitioner submits that the



petitioner is a daily wager and that he has not executed any agreement to sale or any sale deed in favour of any persons. In this regard, registered notice were issued to the complainant but the complainant has not appeared and in his absence as there is no agreement to sale or registered sale deed this Court has no option to rely on the version of the petitioner. Moreover, the petitioner is languishing in judicial custody since 22.08.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that the petitioner has one criminal antecedent.

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 Complainant Case No. 533 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai.

(Ashok Kumar Pandey, J)

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