

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84988 of 2024

Arising Out of PS. Case No.-193 Year-2022 Thana- RAJGIR District- Nalanda

Birendra Kewat Son of Haruni Kewat village- Ram Hari Pind, Ps- Rajgir,
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 406, 420, 120(B) of
the Indian Penal Code.

3. As per the prosecution case, all the accused persons
including petitioner conspired and sold the land measuring 2.5
decimal which has already been sold previously, to the
informant and others and thus, cheated an amount of Rs.
10,00,000/- from them.

4. Learned counsel for the petitioner submits that
petitioner is *bona-fide* owner of land in question. A title suit No.
264 of 2021 is also running between the parties in the Court of
Sub-Judge-VIII, Biharsharif, Nalanda which was filed by the



father of co-accused Surendra Kewat. The dispute is purely of civil nature. Similarly situated co-accused persons have already been granted bail by this Court *vide* order dated 24.04.2023 passed in Cr. Misc. No. 8294 of 2023. Petitioner claims clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail.

6. Having considered the fact that similarly situated co-accused persons have already been granted bail, nature of dispute and clean antecedent of the petitioner, the petitioner above-named, in the event of arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Nalanda, in connection with Rajgir P.S. Case No. 193 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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