

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87286 of 2024

Arising Out of PS. Case No.-48 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Deep Narayan Thakur @ Dip Narayan Thakur S/o- Late Sahdev Thakur R/o-
Hasanpur Jitwarpur Paper Mill Marg P.S. Samastipur Muffashil District-
Samastipur Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mo. Soniya Devi W/o- Late Budhan Sah Village- Po- Mathurapur Ps-
Warishnagar Dist- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 09-07-2025 Heard Mr. Madhav Kumar, learned counsel for the

petitioner and Mr. Abhay Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 48 of 2022, for the
offences punishable under Sections 323, 324, 386, 406, 420 and
467 of the Indian Penal Code in which cognizance has been
taken under Sections 323, 354 and 420 of the Indian Penal
Code.

3. According to prosecution case, this petitioner being
an identifier of the land of the complainant has sold her land to
one Karamchand and when the complainant got to know about



the said incident then she went to the house of the accused persons where she was subjected to assault and they threatened her for dire consequences.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the complaint petition that the complainant has alleged that the co-accused persons have executed a sale deed dated 29.07.2015 upon which the petitioner is an identifier and when the complainant has applied for mutation of land in question on 22.06.2021 then she came to know that the said land was in the name of petitioner who has sold the said land in the name of Karamchand son of Anand Rai of Village Jitwarpur Nizamat. He further submits that it appears from the complaint petition that the said complaint petition is filed after delay of only 7 years and no explanation has been given in the complaint petition regarding the delay. He further submits that the petitioner is neither the vendor nor the vendee of the land in question and he is only the identifier of the sale deed and due to this reason he has been falsely been implicated in this case. He further submits that the present case is of civil dispute and apart from that the petitioner has no role at all in the present case and he is not the



beneficiary of the sale deed (land in question).

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the complaint petition.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not the beneficiary of the land in question and he is only the identifier of the sale deed in question, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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, Samastipur in connection with Complaint Case No. 48 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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