

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4165 of 2025

Arising Out of PS. Case No.-231 Year-2023 Thana- GOH District- Aurangabad

Shiv Pujan Yadav S/o Birbal Yadav R/o Village- Thanapur, PS- Goh, District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate
For the State : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 468, 323 and 354B of the Indian Penal Code.

3. As per prosecution case, it is alleged that this petitioner received Rs 60,000/- from informant and gave one bigha land on lease to him for ploughing but as a matter of fact the said land belongs to one Bacchu Vishwakarma and when the original owner came to know about this, he took possession of the land and even after repeated requests and demand, this petitioner did not return the money back to informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. As per F.I.R., on 04.09.2017, this



petitioner allegedly leased one bigha land to informant for ploughing the same and after two years, original owner, namely Bacchu Vishwakarma, is said to have taken possession of the land. It is further submitted that there is no chit of paper on record to support the allegations levelled against this petitioner. It is further submitted that the present F.I.R. has been lodged after inordinate delay of two years and there is no plausible explanation for the same. Moreover, the dispute is civil in nature and no criminal offence is made out against this petitioner. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, delay in lodging of the F.I.R. and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned S.D.J.M., Daudnagar, District-



Aurangabad in connection with Goh P.S. Case No. 231 of 2023,
subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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