

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89976 of 2024

Arising Out of PS. Case No.-542 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Dilip Kumar Singh @ Dilip Singh S/o Late Tribhuwan Singh R/o Village-
Balua, P.S.- Amba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Adv.
For the Opposite Party/s : Ms.Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Aurangabad Town P.S. Case No. 542 of 2023 arising out of Complaint Case No. 577 of 2023 dated 10.08.2023 registered for the offences punishable u/ss 341, 323, 342, 504, 506, 467, 468 and 420 of the Indian Penal Code.

3. As per the prosecution case, the informant purchased land appertaining to khata No. 36, plot No. 17, area 25 decimal from the petitioner thorough registered sale deed no. 16966 on 18.12.2021 for which she had paid Rs. 4,00,000/- to him. When she applied for mutation, the Halka Karamchari said



that the said land does not belong to the petitioner. The informant demanded her money back but on repeated demand and request, he did not pay the amount. Thereafter, the informant sent a legal notice to the accused for return money but no response was given nor the said amount was returned. In such a manner, the petitioner cheated her and misappropriated the said amount.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 18.12.2021 but the Complaint Case was lodged on 16.06.2023 and there is no explanation for this delay. Learned counsel has further submitted that the informant had purchased the land in question after fully verification as well as satisfaction. It is further submitted that the informant neither applied for mutation before Halka Karamchari, Anchal Office, Amba, Aurangabad nor she has submitted any documents with regard to applied for mutation at the time of lodging of this case. It is further submitted that there is no any legal notice send by the informant to the petitioner. Learned counsel has further submitted that the petitioner has never made foregery against the informant. It is a case of civil dipuste. It is further submitted that the petitioner



has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Aurangabad Town P.S. Case No. 542 of 2023 arising out of Complaint Case No. 577 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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