

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.946 of 2025

Arising Out of PS. Case No.-1248 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Lalbabu Singh S/o Late Vishundev Singh R/o Village- Rampur Khurd, P.S.-
Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhoj Mali S/o Late Vajinath Mali @ Baijnath Mali R/o Village- Rampur
Khurd, P.S.- Gopalpur, District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Lokesh Kumar Singh, Advocate
For the State	:	Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 420, 406, 467, 468 and 471 of the Indian Penal Code.

3. As per prosecution case, allegation against this petitioner is that he set an impostor Suresh Kushwaha who executed the land of the complainant through registered sale deed on 26.02.2015 in favour of this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. Petitioner is a *bona fide* purchaser of the land in question and purchased the same from Suresh Kushwaha



through registered sale deed on 26.02.2015. The land in question belong to Khata No. 41, Khesra No. 720 and after verifying the papers, the petitioner purchased the same and he is under peaceful possession of the land and mutation of the land in question is also running in the name of this petitioner. Moreover, from bare perusal of the complaint petition it is apparent that the dispute is civil in nature with regard to sale and purchase of land for which complainant has got alternative remedy before Civil Court of competent jurisdiction.

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 and nature of accusation, 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 Judicial Magistrate 1st Class, Gopalganj in connection with Complaint Case No. 1248 of 2019, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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