

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49559 of 2014

Arising Out of PS.Case No. -565 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

Vijay Rai Son of Bageshwari Rai, Resident of Village - Sher, Police
Station- Sidhwaliya, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Kr. Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, apprehending his arrest in connection
with Complaint Case No. 565 of 2013, Trial No. 3470 of 2014
registered for the offences punishable under Sections 420 and 403
of the Indian Penal Code.

The prosecution case, as alleged, is that the
complainant had purchased a piece of land against which the
complainant had paid Rs. 4,10,000/- in respect to the said piece of
land. A sale deed was also executed in favour of the complainant
by one Lal Babu Rai but when the complainant sought for the
possession of the land, it was found that the said land did not
belong to Lal Babu Rai and, hence, this prosecution was brought.

It has been submitted on behalf of the petitioner that
Lal Babu Rai has executed the sale deed in favour of the
complainant and as far as the role of the petitioner is concerned, he
had only identified on the sale deed hence, he had no role to play

in the execution of the sale deed. It is further submitted that at the time of the agreement between the parties, the petitioner had neither any role to play nor he is beneficiary in any way.

Learned counsel for the State has submitted that there is specific allegation against the petitioner and having in collusion with the other co-accused has got this fake sale deed executed.

Considering the aforesaid facts and the circumstances of the case, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender in the court below within four weeks on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Tripathi, Judicial Magistrate 1st Class, Gopalganj in connection with Complaint Case No. 565 of 2013, Trial No. 3470 of 2014, subject to the conditions, as laid down under Section 438(2) Cr.P.C.

It is further directed that the release of the petitioner will be subject to, that if he deposits an amount of Rs. 40,000/- in the court below, which will be subject to the final disposal of the case.

(Sudhir Singh, J.)

Vats/-

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