

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77895 of 2019

Arising Out of PS. Case No.-716 Year-2001 Thana- PATNA COMPLAINT CASE District-
Patna

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Rameshwar Singh, Son of Late Bharat Singh, Resident of Village and Post-
Painal, P.S.- Bihta, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Kapildeo Singh(Now dead) S/O- Late Ayodhaya Singh Resident of village
and Post - Painal, P.S.- Bihta, District- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ram Suhawan Singh, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Complaint Case No. 716 (c) of 2001 in
which cognizance has been taken for the offences punishable
under Sections 420, 120(B) and 465 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present complaint case has been lodged by the complainant for
the alleged execution of the sale deed in stead of a mortgage
deed in the year 1998 after lapse of about 4 years. The petitioner
has got mutated the land in his favour and after constructing
house is residing in the same.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail. The complainant is said to have died as per supplementary affidavit. The co-accused has been granted anticipatory bail vide order dated 01.08.2019 in Cr.Misc.No.32725 of 2019.

Considering the facts and circumstances of the case, wherein the allegation against the petitioner is that in the year 1998 he had got a sale deed executed from the complainant instead of a mortgage deed but it is the contention of the petitioner that the complainant (since deceased) had executed the sale deed in the year 1998, thereafter the petitioner has constructed his house on the said piece of land and is residing therein and has got the land mutated in the revenue records also in the name of his wife but after about 4 years this complaint case has been lodged alleging that this petitioner has got prepared a sale deed with dishonest intention, in the nature of allegations and the fact that the co-accused has been granted privilege of anticipatory bail recently by a learned co-ordinate bench of this Court, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Danapur, Patna



in connection with Complaint Case No. 716 (c) of 2001, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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