

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31483 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- TARIYANI CHOWK District- Sheohar

1. Pushpa Devi, S/o Rama Shankar Ray R/o Village-Rajadih, P.S.-Tariyani, District-Sheohar.
2. Ramashankar Ray, S/o Ram Vilash Ray R/o Village-Rajadih, P.S.-Tariyani, District-Sheohar.
3. Jay Prakash Kumar, S/o Rama Shankar Ray R/o Village-Rajadih, P.S.-Tariyani, District-Sheohar.
4. Vir Bahadur Ray, S/o Late Saudagar Ray R/o Village-Rajadih, P.S.-Tariyani, District-Sheohar.
5. Ram Lakshan Ray, S/o Late Jay Govind Ray R/o Village-Rajadih, P.S.-Tariyani, District-Sheohar.
6. Vishvnath Ray, S/o Late Saryu Ray R/o Village-Basahiya Tola, Kushahar, P.S.-Tariyani, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr.Dinesh Jha, Advocate
For the Opposite Party(State)	: Mr. Akshyalal Pandit, A.P.P.
For the informant	: Mr. Devendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2021 Heard Mr. Dinesh Jha, learned Counsel for the petitioner, Mr. Devendra Kumar, learned counsel for the informant and Mr. Akshyalal Pandit, learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner submits that during the pendency of this application petitioner No.2 has been arrested and accordingly this application against petitioner No.2 has become infructuous. Thus, this application against petitioner No.2 is dismissed as infructuous.

Insofar as petitioner No.1, 3, 4, 5 and 6 are concerned,



they apprehend their arrest in connection with Tariyani Police Station Case No.102 of 2020, disclosing offences under Sections 406, 420, 467, 468, 470, 471, 120(B)/34 of the Indian Penal Code.

The allegation as per the First Information Report is that accused No.1 and 2 allured the informant that they would arrange government loan for her and got the sale deed executed in favour of Pushpa Devi, petitioner No.1 on 25.05.2017 having an area of 8 decimal, another sale deed dated 05.09.2018 having an area of 14 decimal and sale deed dated 17.05.2019 having an area of 46 decimal.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as sale deeds have been executed by the informant in favour of petitioner No.1, Pushpa Devi, for valuable consideration. Learned counsel further submits that petitioner No.3 is son of petitioner No.1 and there is no specific allegation against him and petitioner No.4 and 5 are witnesses to the sale deed and petitioner No.6 is deed writer.

On the other hand, learned counsel for the informant as well as State vehemently opposed the prayer for anticipatory bail and submits that the informant is an old lady and taking advantage of her age, the petitioners, after giving allurements to the informant got three sale deeds executed in favour of petitioner No.1.



Having regard to the submissions made by the parties and taking into consideration the materials on record and nature of allegation, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner No.1, 3, 4, 5 and 6 namely, Pushpa Devi, Jay Prakash Kumar, Vir Bahadur Ray, Ram Lakshan Ray and Vishvnath Ray respectively, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Tariyani Police Station Case No.102 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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