

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31327 of 2021**

Arising Out of PS. Case No.-570 Year-2020 Thana- FATUA District- Patna

RASHBIHARI GOPE @ RAS BIHARI SINGH SON OF LATE SEWAK  
GOPE R/O VILLAGE- MAUJIPUR FATUHA, P.S.- FATUHA, DISTRICT-  
PATNA, PRESENTLY RESIDENT OF FATEHJAMPUR  
(FATEHJANGPUR) SABALPUR, P.S.- NADI THANA, DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      17-02-2022                      This matter has been taken up for hearing online  
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner is expected to  
honour his undertaking to remove the defects as pointed out by  
the office when called upon to do so by the office.

The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection  
with Fatuha P.S. Case no. 570 of 2020 instituted for the offence  
under Sections 341, 323, 420, 406, 504, 506/34 of the Indian  
Penal Code.

As per allegation in the FIR, informant had given an



amount of Rs. 1,51,000/- as advance to the petitioner to execute a sale deed to which later on he denied. Neither he had returned the said money nor had executed a sale deed in favour of the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. In fact, petitioner is an illiterate person and taking the advantage of his literacy, informant has taken the thumb impression on the agreement for sale during pendency of First Appeal before the Hon'ble Court to grab his 1/3 share of total land.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Fatuha P.S. Case no. 570 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Patna City subject to the



conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

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