

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33286 of 2021

Arising Out of PS. Case No.-513 Year-2019 Thana- CIVIL LINE District- Gaya

1. Ajay Shankar Daftuar Son of Late Dudheshwar Prasad Resident of Mohalla - Shahi Masjid Lane, Nadraganj, P.S.- Civil Line, Dist.- Gaya.
2. Anandi Prasad Son of Late Sukhdev Prasad Resident of Mohalla - Ashok Bihar Colony, P.S.- Vishnupad, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 467, 468, 469, 471, 420, 419/120(B) of the Indian Penal Code.

As per prosecution case, in short, it is alleged by the informant Mukulesh Chandra Narayan that his grand father Sharda Nand Prasad Sinha with his younger sister Raj Mani Devi had purchased jointly a lot of land nearby Tankuppa Station with a view to look after easily. He further alleged that he was asking



to said Praveen Kumar and his mother Raj Mani Devi regarding the land but they evaded the matter saying that going there is not empty from danger but he recently got knowledge that aforesaid land has been sold with conspiracy by said Raj Mani Devi and Praveen Kumar by different sale deeds. Informant went to the Registry Office and obtained certified copy of nineteen sale deeds relating to the sale of the said land by Praveen Kumar and Raj Mani Devi. It is further alleged that the lands which was purchased in the name of his brother Munindra Kumar @ Munindra Kumar Narayan was sold by accused Praveen Kumar on the basis of forged power of Attorney to one Raghunath Yadav.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. In fact, the petitioners are not named in the F.I.R. and the name of the petitioners have been transpired during investigation. In fact, the petitioners are authorized/registered Deed Writer at Registry Office, Gaya and in fact the petitioner no. 1 has made his signature as witness on the Power of Attorney which was executed on 27.03.2000 and the petitioner no. 2 has prepared the deed of Power of Attorney on instruction of executants of power of Attorney namely Muninder Kumar and they are not beneficiary at all with respect to the Power of Attorney in question.

Learned APP for the State has opposed the prayer for



bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Civil Line P.S. Case No. 513 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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