

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33644 of 2022

Arising Out of PS. Case No.-102 Year-2020 Thana- NAYAGAON District- Saran

1. RUPAN RAI @ ROOP NARAYAN RAI SON OF LATE HEERA RAI R/O VILLAGE- BARIYARCHAK HASILPUR, P.S.- NAYAGAON, DISTRICT- SARAN AT CHAPRA
2. AMERIKAN RAI SON OF LATE JANAK RAI R/O VILLAGE- BARIYARCHAK HASILPUR, P.S.- NAYAGAON, DISTRICT- SARAN AT CHAPRA
3. LALBABU RAI SON OF LATE JANAK RAI R/O VILLAGE- BARIYARCHAK HASILPUR, P.S.- NAYAGAON, DISTRICT- SARAN AT CHAPRA
4. MINTU RAI @ MANTU RAI SON OF LATE JANAK RAI R/O VILLAGE- BARIYARCHAK HASILPUR, P.S.- NAYAGAON, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Adv
For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 147, 148, 341, 323, 420, 467, 468, 471, 384, 354, 504, 506 of the IPC.

The accusation against the petitioners is of having



obtained a sale deed from a fictitious person.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties and title suit is also pending before the court below. Similarly situated co-accused persons have been granted bail by a co-ordinate bench of this court vide order dated 22.07.2021 passed in Cr. Misc. No.2813 of 2021. Petitioner nos.1, 2 and 3 have three criminal antecedent and petitioner no.4 has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused persons have been granted bail, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Nayagaon P.S. Case No.102 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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