

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48313 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- RAFIGANJ District- Aurangabad

1. RAJANTI DEVI Wife of Ram Pravesh Choudhary Resident of Village - Ahmadpur, Charkawa Nichaldih Ward No. 13, P.O. and P.s.- Rafiganj, District - Aurangabad (Bihar).
2. RAM PRAVESH CHOUDHARY Son of Ramsharan choudhary Resident of Village - Ahmadpur, Charkawa Nichaldih Ward No. 13, P.O. and P.s.- Rafiganj, District - Aurangabad (Bihar).

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Singh
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect(s), as pointed out by the office, within four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 323 & 504 of the Indian Penal Code.

The prosecution case, in brief, is that the informant's son Chandan Kumar Soni sold the land in favour of the petitioners on the basis of forged and fabricated documents



and had used 'Late' before the name of his father and the accused persons despite knowing this fact purchased the aforesaid land.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. As a matter of fact, they have purchased the said land in the year 2018, got the jamabandi in favour of petitioner no.1 and a rent receipt was also issued. Petitioners are in peaceful possession over the purchased land and constructed a house on the said plot. There is inordinate and abnormal delay of four years in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in



connection with Rafiganj P.S. Case No.174 of 2022, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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