

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14429 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- NAVINAGAR District- Aurangabad

YAMUNA SINGH Son of Late Raghupat Singh R/V- Mahuli, P.S.-
Nabinagar, District- Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Learned counsel for the petitioner is permitted to
make correction in Paragraph '9' of the application.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Nabinagar P.S. Case No.- 223 of 2022
registered for the offences punishable under Sections 323, 420,
467, 468, 376, 506, 504, 120B of the Indian Penal Code. He has
got no criminal antecedent.

Learned counsel for the petitioner has taken this Court
through the copy of the complaint petition filed before the
learned Chief Judicial Magistrate, Aurangabad giving rise to
Criminal Complaint Case No. 266 of 2022 which was forwarded
to Station Head Officer, Nabinagar Police Station under Section
156 Cr.P.C. giving rise to the present police case. It is submitted



that on bare perusal it would appear that the complainant was in relationship with this petitioner since the year 1993. The name of the son of the informant contains father's name of this petitioner. She admits her relationship with this petitioner since the year 1993. She admits that they were living together. Her grievance at this stage is that the petitioner had promised her that all his land and property will be transferred in the name of her son Ranjay Singh and on this pretext, he was establishing physical relationship with the complainant as well as her daughter-in-law since then.

Learned counsel for the petitioner submits that on the face of the complaint itself it may be found that the complainant is making these allegations against this petitioner only in order to grab the properties.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner, however, it is not disputed that the informant admits her relationship with this petitioner since the year 1993 and admits that her son Ranjay Singh has his father's name as that of this petitioner and this petitioner was looking after him and was meeting all his expenses.

Having regard to the facts and circumstances of the case, in the peculiar nature of the complaint in which the



complainant herself makes it clear that she was living with this petitioner since the year 1993, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named shall be enlarged on bail in connection with Nabinagar P.S. Case No.- 223 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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