

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18763 of 2023**

Arising Out of PS. Case No.-255 Year-2022 Thana- KHIJARSARAI District- Gaya

Rajesh Kumar Gupta Son Of Jagdish Prasad R/O- Golden Mandir Sherghati,
P.S.- Sherghati, District - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Pratap

For the Opposite Party/s : Mr. Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 24-06-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code.

As per the prosecution case, it is alleged that the petitioner has verified the forged document for mutation.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that at the time of verification of the sale deed, petitioner did not have the access of the certified copy of the sale deed no. 11530



dated 14.08.1991 and because of human error the said sale deed was considered for mutation. However, the said action of the petitioner was not *malafied* as he could not ascertain that Mamta Kumari has fraudulently obtained the alleged sale deed. It is further submitted that no conspiracy was hatched between the petitioner and Mamta Kumari into the alleged incident of fraudulent mutation. It was Mamta Kumari who played fraud upon the petitioner. He submits that it is apparent that no allegation of any fraudulent act has been levelled against the petitioner. His name has been dragged because he did not oblige Mamta Kumari and one Rakesh Chaudhary between whom civil dispute has arisen. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court



in connection with Khizersarai P.S. Case No. 255 of 2022,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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