

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28953 of 2023

Arising Out of PS. Case No.-07 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Anil Kumar, Son Of Raghunath Prasad Singh Resident Of Village-
Naurangbad Hajipur , Ps Hajipur Town, Distt- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur
		Mr. Subodh Kumar
For the Opposite Party/s	:	Mr. Binod Kumar No.3

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-08-2023 1. The learned counsel for the petitioner seeks permission to remove the defect as pointed out by the office.
2. The learned counsel for the petitioner is permitted to remove the defect as pointed out by the office during course of the day.
3. Heard learned counsel for the petitioner and learned APP for the State.
4. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 470, 471, 120(B)/ 34 of the Indian Penal Code.
5. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the



informant alleges that the land in question is in the name of his great grandfather Tribhuvan Singh, who died and even his grandfather Brijnandan Singh also died. It is next alleged that Md. Rizvi Mahtab, Sahil Rizvi and Mashroor Alam started construction over the land. It is further alleged that he came to know that petitioner, a deed writer, after taking into confidence the then Registrar of Hajipur Registry created a fake Aadhar, Pan Card in the name of his great grandfather Tribhuvan Singh and got three sale deeds dated 03.12.2022, 12.12.2022 executed in the name of aforesaid three accused persons with regard to the land by creating a fictitious person as Tribhuvan Singh.

6. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that petitioner is alleged to be the deed writer. It is next submitted that being deed writer, it is the duty of the petitioner to write the contents of the sale deeds on demand. It is next submitted that it absolutely does not stand to reason that as to why the petitioner would have sold the land of the informant by resorting to fraudulent means by creating a fictitious person in the name of Tribhuvan Singh. The learned counsel next submits that there is a procedure envisaged for



executing sale deed and after the entire procedure was duly followed that the sale deed was executed in the name of the aforesaid three persons. The learned counsel next submits that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for eliciting the truth and proving his innocence.

7. Learned A.P.P. opposes the anticipatory bail application.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P. S. Case No.07 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

10. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the



learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

11.Let a copy of this order be sent to the concerned Police Station through the learned trial Court. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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