

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30622 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- DALSINGHSARAI District- Samastipur

1. Rinku Kumari Wife Of Rajesh Kumar Rai Resident Of Village - Makdampur , Ps- Dalsingsarai , Distt- Samastipur
2. Rajesh Kumar Rai Son Of Ramashish Rai Resident Of Village - Makdampur , Ps- Dalsingsarai , Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ray Saurabh Nath
For the Opposite Party/s	:	Mr. Arun Kumar Pandey
	:	Mr. Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.1, as she has already been arrested by the police, during pendency of this application.

3. Permission is granted.

4. Accordingly, the instant application as against the petitioner no.1 is dismissed as withdrawn.

5. Now, this application is being heard for consideration of anticipatory bail as against the petitioner no.2 only.

6. Heard learned counsel for the petitioner no.2 and learned APP for the State.



7. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 465, 467, 468, 420, 341, 323, 504 and 506 of the Indian Penal Code pending in the learned court below.

8. As per the prosecution case, all the accused persons including the petitioner after making conspiracy to each other created forged sale deed and when the informant had gone to see his land then all the accused persons started abusing and assaulted the informant as well as threatened to kill.

9. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is civil dispute between the parties. He submits that petitioner are bona fide purchasers of the registered sale deed who have in good faith purchased the land in question from Smt. Neela Devi on payment of consideration amount as such by no stretch of imagination any offence or intention can be imputed on the petitioners. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

10. Learned APP for the State opposes for prayer for bail.

11. Considering the aforesaid facts and circumstances



and the fact that there is civil dispute between the parties, let the petitioner no.2, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Dalsinghsarai P.S. Case No.208/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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