

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47591 of 2023

Arising Out of PS. Case No.-430 Year-2021 Thana- HARSIDHI District- East Champaran

Ram Narayan Prasad S/O- Harichandra Prasad Resident of ward no. 5,
Village- Yadavpur, Ps- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Harsidhi P.S. Case No. 430 of 2021 dated 01.11.2021 instituted
for the offence punishable under Sections 420, 467, 468, 471,
379, 427, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that in present, the
informant lives in Patna. The informant has been peaceful
possession of Khata No. 136, Kheshra No. 92, 433, 433/2793,
434, 437, 433, area 197.55 decimal situated in Motihari since
30.07.1943. On 04.10.2021, Dilip Singh, Pramod Prasad, Sanjay
Singh, Shahadat Hussain & Subodh Prasad has got executed the
said land in their favour by Anutha Singh and Ramlochan Singh
through forged and fabricated sale deed. It has also been alleged



that the aforesaid persons destroyed the crops standing in the said land, and on protesting, they threatened the informant with dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is not named in the First Information report. Only on the basis of that he is one of the witnesses of the alleged sale deed, the petitioner has been implicated in this case. Learned counsel for the petitioner further submits that similarly situated accused, namely, Ramlochan Singh, Anutha Singh, Shahadat Hussain & Subodh Prasad have been granted anticipatory bail vide order dated 24.01.2023 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 65679 of 2022. Learned counsel for the petitioner submits that the dispute is civil in nature. Lastly, it has been submitted that petitioner has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Harsidhi P.S. Case No.



430 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Motihari, East Champaran subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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