

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42175 of 2023

Arising Out of PS. Case No.-390 Year-2019 Thana- NAGAR District- Vaishali

RAVINDRA KUMAR S/o Harihar Rai Resident of village-Dighi Kala West,
P.S.-Sadar Hajipur, District-Vaishali. Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Ram Shankar Prasad, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Ms. Smiti Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 4 18-12-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the informant.
2. Learned counsel for the petitioner has filed a supplementary
affidavit and learned counsel for the informant has filed a
counter affidavit in Court.
3. Let both these affidavits be kept on record.
4. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 420, 406, 467, 468
and 120B/34 of the Indian Penal Code.
5. All the F.I.R. named accused persons including this
petitioner is said to have conspired to grab the land of the
informant on a fake power of attorney and genealogy and sold
some portion of the land of the informant.
6. It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. He has been



falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the informant is claiming as sole son of Madan Lal Raut but the fact is that Laxman Raut is also son of Madan Lal Raut. It is further submitted that Laxman Lal Raut is also a son of Madan Lal Raut, who at the relevant time was residing at Siliguri and was in urgent need of money and as such he executed a power of attorney in favour of the petitioner to sell the land mentioned in the F.I.R. and, accordingly, the land was sold on the basis of the power of attorney and genealogy. It is lastly submitted that moreover the dispute between the parties is civil in nature. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

7. Learned APP for the State assisted by learned counsel for the informant vehemently opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case as well as the fact that the dispute *inter se* is civil in nature, 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 Hajipur Town P.S. Case No. 390 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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