

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41193 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- UCHKAGAON District- Gopalganj

SATYENDRA SINGH Son of Rajkeshwar Singh Resident of Village-
Kharharwa PS- Uchkagaon Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471 and 120(b) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases. It is further submitted
that from perusal of the allegation as alleged in the FIR, it
would manifest that the dispute is purely civil to which a
criminal colour is given. It is next submitted that if the
informant is aggrieved by the gift deed which he alleges to be
forged, he has remedy available in law by moving a court of
competent civil jurisdiction for getting the gift deed cancelled. It
is also submitted that the informant and the petitioner are cousin
and informant alleges that petitioner produced a photo copy of



gift deed dated 19.11.1969 executed by Darap Rai in favour of Ramsakhi Devi. Learned counsel thus submits that the gift deed has also been produced in a proceeding which is pending between the parties.

4. Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioner but are not able to rebut the submission of the learned counsel for the petitioner that the dispute is purely civil for which informant has remedy available in law by approaching a court of competent civil jurisdiction. Learned counsel for the informant further submits that the petitioner has not approached this Court with clean hand as he has antecedent of three cases but then at para 3 of the anticipatory bail application, it is pleaded that petitioner has antecedent of two cases.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Uchkkagaon



P.S. Case No. 303 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and if it is found that petitioner has more than two cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

