

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48345 of 2023

Arising Out of PS. Case No.-126 Year-2021 Thana- BIHAR District- Nalanda

RAJU KUMAR son of Maheshwar Yadav Village- Baswan Bigha Ps- Bihar
Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Amit Kumar son of Vijay Kumar Village- Kagji Bijli Colony Ps- Bihar Dist-
Nalanda P/a- Muradpur Near Lal Classes Ps- Bihar Dist- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 01-11-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Bihar P.S. Case No. 126 of 2021 dated 17-02-2021 registered under Sections 406, 420, 34 of the I.P.C.

3. As per the F.I.R. the petitioner is said to be a witness of an agreement for sale of a piece of land executed between the proposed seller Prem Tanti and the proposed purchaser / Amit Kumar. The allegation of the informant is that on the basis of forged identification documents the seller Prem Tanti represented the proposed purchaser i.e. informant as the owner of the land but the real owner was not informed and brought as the proposed seller.

4. Learned counsel for the petitioner submits that



petitioner was not aware about the details of transaction entered into between the co-accused persons and the informant but he has signed the document as a witness only.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is not the proposed seller or broker and had signed the agreement for sale as a witness, the offence is based upon documents and there is no likelihood that the petitioner will abscond or tamper with the evidence, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Nalanda, Bihar Sharif in connection with Bihar P.S. Case No. 126 of 2021 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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