

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45440 of 2023

Arising Out of PS. Case No.-376 Year-2022 Thana- DESARI District- Vaishali

RAJDEO RAI S/O LATE MUNSHI RAI R/O Village- Mohidinpur Garahi,
P.S- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Sinhg, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Desari P.S. Case No. 376 of 2022 for the offence registered under sections 420, 467, 468, 406, 120(B) and 34 of the Indian Penal Code lodged on 06.09.2022 by the informant, Sanjay Kumar.

As per the prosecution story, the allegation of the informant is that the land belongs to him, on the basis of forged sale deed, one Rakesh Kumar got it transferred on his name. Further, he, in turn, transferred/sold the said land to the petitioner herein. Accordingly, the FIR.

Learned counsel for the petitioner submits that having purchased a land which has been executed by Rakesh Kumar



who has earlier forged the said sale deed, he himself has become a victim and will be taking necessary steps in accordance with law.

It is his further submission that he is an aged person having no criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that he is hand in gloves with the Rakesh Kumar.

Considering the fact that the alleged forged sale deed/ transfer of the land is attributed to Rakesh Kumar who in turn has transferred the same to this petitioner, he is 75 years old and do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Vaishali at Hajipur in connection with Desari P.S. Case No. 376 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

Neha/-

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

