

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53947 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- BIHIA District- Bhojpur

Vishnu Shankar Yadav Son Of Ganga Sagar Yadav Resident Of Village -
-KARJA, Ps- Bihiya, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Pathak
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 120(B), 506, 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the accused Prabha Ojha, in connivance with one Anwar Ali and this petitioner has sold the land belonging to the informant to one Maya Devi. It is further alleged that Prabha Ojha showed her divorced husband as dead and both the witnesses (including the petitioner) have signed as witness in the sale deed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed



cases against each other. He submits that the petitioner was never involved in any cheating rather he became victim of circumstances due to misleading of other accused persons that no false work is being done. Similarly situated co-accused, namely, Prabha Ojha, has been enlarged on bail by a co-ordinate bench of this court vide order dated 11.08.2023 passed in Cr. Misc. No. 49224 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, 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 Bihiya P.S. Case No. 87 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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