

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60029 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- SITAMARHI District- Sitamarhi

Ratan Deo Sahay, S/O Late Shyam Deo Sahay, Resident of Baraiya Golamber
Koluha Chowk Ke Pass Basant Vihar Road No 1, Lane No 2, P.S- Ahiyapur,
Dist- Muzaffapur (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Satish Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Navin Kumar Pandey, APP
For the Informant :	Mr. Uday Kumar, Advocate
	Mr. Raj Nr. Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sitamarhi P.S. Case No. 30 of 2023 registered for the offences punishable under Sections 420, 423, 34 of the Indian Penal Code. He has no criminal antecedent.

3. As per the prosecution story, the petitioner in collusion with other co-accused persons has committed forgery on 22.08.2022 and has sold the land which had come in his share after partition of the ancestral property.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. It is submitted that both the parties are co-sharers and are also engaged in a Title Suit bearing No. 63 of 2023.

5. Learned counsel submits that the petitioner has not sold the land of the share of the informant.

6. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioner.

7. Having regard to the facts and circumstances of the case wherein it appears that both the parties are co-sharers, they are also engaged in a Title Suit bearing No. 63 of 2023 and it is the claim of the petitioner that he has not sold the land of the share of the informant, in the nature of the controversies, this Court directs at this stage that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Sitamarhi P.S. Case No. 30 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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