

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62085 of 2023

Arising Out of PS. Case No.-229 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

ANIL KUMAR RAY S/o SRI HARI NARAYAN RAY R/o vill - Ishhakpur
Tek, P.S. - Mahnar, Distt. - Vaishali at present resident of Mohalla -
Khemnichak, P.S. -Ram Krishna Nagar, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jitanta Bejamin Wife of Dani Basko R/o Mohalla - Barhai Tola, Chik Toli
Chowk Behind St. Teresa School, Betiah, ward no. 7, P.S. - Kalibagh, O.P.
Distt - West Champaran, Bettiah

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 229 of 2022, instituted for the offence
punishable under Sections 406 and 420 of the Indian Penal
Code.

3. The prosecution case, in short, is that the
complainant (Jitanta Bejamin) made an online application for
mutation on 26.07.2019, which was rejected on the ground that
the land is disputed. On query, it was detected that one Ashish
Kumar had registered the land in favour of witness no. 3



(Pilomina Bartan, Mother-in-law of the complainant) on the basis of Power of Attorney dated 27.12.2016 taken from one Abhay Kumar Singh. But when the complainant met Abhay Kumar Singh and enquired about Power of Attorney, he said that he had not given any power of attorney to Ashish Kumar instead Ashish Kumar in forged manner after affixing the photographs of one Santosh Arti prepared forged power of attorney and when the accused persons was informed about a Title Suit No. 93 of 2019, which is pending in the Court of Sub-Judge-II, Patna filed by one Abhay Kumar Singh, they used abusive language and said that neither money nor land would be returned.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is one of the witness of the sale deed dated 23.12.2017 executed by Satish Kewat and Jeet Kewat and petitioner is only witness to the sale deed. It is submitted that petitioner is neither the beneficiary nor vendee of the sale deed. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Complaint Case No. 229 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Bettiah, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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