

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61465 of 2023

Arising Out of PS. Case No.-529 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. PANKAJ KUMAR SINGH SON OF JAG NARAYAN SINGH RESIDENT OF VILLAGE- BARADIH, PO AND PS- KOCHAS, DIST- ROHTAS
 2. JAG NARAYAN SINGH SON OF RAM AWADAN SINGH RESIDENT OF VILLAGE- BARADIH, PO AND PS- KOCHAS, DIST- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-10-2023

1. At the outset, the learned counsel for

the petitioners seeks to withdraw the present petition qua the petitioner no.1, with liberty to him to surrender before the learned Court below, within a period of four weeks from today and avail the privilege of regular bail. Liberty so sought is granted.

2. Accordingly, the present petition qua the petitioner no.1, stands dismissed.

3. Heard the learned counsel for the petitioners and learned APP for the State.

4. This is an application for grant of anticipatory bail in connection with Complaint Case No.529 of 2021, registered for offences under



Sections 467, 468, 471, 420, 120B, 323, 504 and 506 of the Indian Penal Code.

5. The case of the prosecution in brief is that the petitioner no.1 is alleged to have committed forgery and got a registered sale deed executed with the son of the complainant, showing the complainant to be dead, with regard to the land belonging to the complainant.

6. The learned counsel for the petitioner no.2 has submitted that the petitioner no.2 is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner no.2 has further submitted that as far as the petitioner no.2 is concerned, no allegation has been levelled qua him in the complainant petition and merely since he happens to be the father of the main accused i.e. petitioner no.1, he has been made an accused in the present case, as such, he be granted the privilege of anticipatory bail.

7. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.



8. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that as far as petitioner no.2 is concerned, the complainant has not levelled any allegation in the complaint petition qua him, I deem it fit and proper to admit the petitioner no.2 to the privilege of anticipatory bail.

9. Accordingly, the above named petitioner no.2 is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Sasaram (Rohtas) in connection with Complaint Case No.529 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Mohit Kumar Shah, J)

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