

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64056 of 2023

Arising Out of PS. Case No.-458 Year-2022 Thana- MURLIGANJ District- Madhepura

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DHANRAJ SURANA S/O LATE GUMANCHAND SURANA R/O
VILLAGE- NAGAR PANCHAYAT MURLIGANJ, WARD NO. 9, P.S-
MURLIGANJ, DISTT.- MADHEPURA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-10-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Murliganj PS case no. 458 of 2022, disclosing
offences punishable under Section 354(B) and other allied
sections of the Indian Penal Code.
3. The case of the prosecution, according to the First
Information Report, is that about 10 years back, the informant
had allegedly given a sum of Rs. 12 lacs to co-accused Rupa
Kumari for purchase of a piece of land bearing Khata no. 148,
Khesra no. 2362, area 12 katha-12 dhur, situated near Murliganj
Block Office in Madhepura district. The registry of the land was
not done due to the fact that the land was recorded in the



name of Government of Bihar. The allegation is that the petitioner along with co-accused Rupa Kumari duped the informant and took a sum of Rs. 12 lacs fraudulently in the name of selling the land, which is owned by the Government. It has further been alleged that on 28.07.2022 in the evening, when the informant had gone to the land in question, co-accused Rupa Kumari and the petitioner along with 4-5 unknown persons abused the informant, pulled her hair and snatched her golden chain and earrings and threatened her with dire consequences.

4. Learned Counsel for the petitioner submits that the petitioner is aged about 83 years and has falsely been implicated in this case with oblique motive. It is further submitted that from perusal of FIR, it would be evident that a sum of Rs. 12 lacs was allegedly given by the informant to co-accused Rupa Kumari about 10 years back and only allegation against the petitioner, on the basis of FIR, is that on 28.07.2022, the petitioner along with co-accused Rupa Kumari and others abused the informant and snatched her ornaments. Referring to Annexure P-2, learned counsel submits that co-accused Rupa Kumari is the owner of the land in question and land receipt is being issued in her favour. It is also submitted that the F.I.R. has been lodged after 03 months 10 days of the alleged date of occurrence, which took



place on 28.07.2022.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the age of the petitioner, who is 83 years old and the fact that the F.I.R. has been lodged after inordinate delay of about 03 months, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Madhepura in connection with Murliganj PS case no. 458 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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