

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7145 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- DUMRAO District- Buxar

RAJU SINGH @ RAJU YADAV Son of Jagnarayan Singh R/v- Chhotaki
Basauli, P.S.- Buxar (Industrial), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Dumraon P.S. Case No. 466/2022 registered for the offences punishable under Sections 467, 468, 471, 120B, 420, 34 of the Indian Penal Code. He has got four criminal antecedents out of which in two cases he is said to have been acquitted. paragraph '3' of the application.

As per the prosecution story, the petitioner has got executed a sale deed fraudulently from one Rajesh Tiwari, he prepared forged documents for the land belonging to the petitioner and in this manner the petitioner has indulged in grabbing of the property of the informant.

Learned counsel for the petitioner submits that in this



case some of the co-accused have been granted privilege of anticipatory bail in Cr. Misc. No. 1288/2023 and Cr. Misc. No. 72986/2022. It is his submission that it is a case of civil dispute, hence the petitioner who is a purchaser of the property deserves privilege of anticipatory bail.

Prayer for bail has been strongly opposed by the learned counsel for the informant. It is submitted that in course of investigation it has come that the accused persons are involved in property dealing in land and they are '*Bhumafia*' who invest money, creates dispute and sale the properties of others.

It is further pointed out that the fact that this petitioner has got four criminal antecedents, no doubt in two of them he has been acquitted would go a long way to show that the petitioner has got criminal antecedents and the people of the area are afraid of him.

So far as the anticipatory bail granted to the co-accused are concerned, it is pointed out that in none of those cases the fact that the accused persons are '*Bhumafia*' and they have got criminal antecedent have been considered.

Having regard to the facts and circumstances of the case, in the nature of allegations, this case cannot be said to be a



case of purely civil dispute, the materials collected in course of investigation are indicating against the petitioner, he has criminal antecedent as well, hence, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is, thus, refused.

In case, the petitioner surrenders in the learned court below and prays for regular bail within a period of four weeks from today, his prayer for regular bail shall be considered on it's own merit.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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