

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4158 of 2024

Arising Out of PS. Case No.-653 Year-2023 Thana- KANTI District- Muzaffarpur

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SANJAY RAY SON OF DAROGA RAY RESIDENT OF VILLAGE -
DHAMAULI RAMNATH TOLE, MADHUWAN, POLICE STATION -
KANTI, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Nandan, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is an accused in connection with Kanti P.S. Case No. 653 of 2023 registered for the offences under sections 420, 467, 468, 471, 472, 323, 506 and 120(B) of the Indian Penal Code lodged on 21.08.2023 by the informant, Sudama Rai.

3. As per the prosecution story, the informant alleges that the accused persons sold/purchased his land. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that he has purchased the land from one of the agnate of the informant, Jyoti Kumari. On the basis of valid sale deed, a purchaser cannot be made an accused if he has purchased the same from



one of the agnate of the land holder, which the informant cannot deny.

5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also that he is a purchaser of the land, FIR lodged and ultimately he will face the trial, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned J.M. 1st Class, Muzaffarpur (West) in connection with Kanti Case No. 653 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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