

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21509 of 2024

Arising Out of PS. Case No.-84 Year-2023 Thana- BARAULI District- Gopalganj

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1. Sheobali Rawat Son of Late Banka Rawat, Residence of Village - Ratan Sarai, Ward No.17, P.S. - Barauli, District - Gopalganj
 2. Biresh Rawat @ Biresh Kumar Prasad Son of Late Banka Rawat, Residence of Village - Ratan Sarai, Ward No.17, P.S. - Barauli, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar, Advocate
For the Opposite Party/s : Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-05-2024 Learned counsel for the petitioners submits that petitioner no.1, namely, Sheobali Rawat died on 08.03.2024 and hence, he seeks permission to withdraw the anticipatory bail application against petitioner no.1.

2. Permission is accorded.

3. The application against petitioner no.1, namely, Sheobali Rawat is, accordingly, dismissed as withdrawn.

4. Heard learned counsel for petitioner no.2 and learned A.P.P. for the State.

5. The petitioner apprehends his arrest in connection with Barauli P.S. Case No.84 of 2023 instituted under Sections



406 and 420 of the Indian Penal Code.

6. The allegation against the accused persons including the petitioner is that they have sold the land to the informant despite knowing the fact that they have no sufficient share in the said land. Thereafter the complainant filed Complaint Case No.118 of 2023 which was sent by the magistrate to Barauli P.S. for lodging F.I.R.

7. Learned counsel for the petitioner submits that co-accused Sheobali Rawat (deceased) was the guardian of the family and the petitioner is innocent and has falsely been implicated in this case. The transaction was held on 27.08.2019, however, the complaint case was filed in the year 2023, after four years. He further submits that the petitioner has no criminal antecedent and he is ready to cooperate in the investigation.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, petitioner no.2 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 Additional



District and Sessions Judge-XII, Gopalganj in connection with Barauli P.S. Case No.84 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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