

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36578 of 2024

Arising Out of PS. Case No.-247 Year-2023 Thana- TARAPUR District- Munger

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Randhir Kumar Ranjan son of Late Surendra Prasad village- Kumrahar
(Patna), Ps- Agamkuan, dist- Patna

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan

For the Opposite Party/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Tarapur P.S. Case No. 247 of 2023 registered for the
offences punishable under Sections 419, 420, 467, 468, 471 and
34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant (Sub-
Registrar-cum-Sub-Divisional Officer, Tarapur, Munger) alleges
that three sale deeds were executed on 26-12-2023 by Ram
Pyari Devi, wife of late Parmanand Rai, further Nand Kishore
was an identifier on the sale deed and Jhari along with
Jagmohan were witnesses on the sale deed, since cyber system
was out of order hence Aadhar of the seller was not verified



through bio-metrics as such same was verified manually by Amit (Aadhar Authentication Operator) which showed that name and address of Ram Pyari Devi was correct, further Ram Pyari Devi had also executed an affidavit as such her identity was not doubted, further the sale deeds were executed in favour of Randhir (Petitioner) on the ground that petitioner being her son was taking her care after the death of her another son, as such she executed the property of her share, as the property had been partitioned earlier, further the witnesses and the identifier had also identified the relationship of mother and son, next alleges that on 27-12-2023, the witnesses and the identifier disclosed that mother of the petitioner had died earlier, accordingly, the seller was called but she did not appear rather one one lady Pratima appeared and disclosed that she is wife of the petitioner and the seller is mother of the petitioner, as such she was asked to call the seller, but the seller did not appear and on inquiry from villagers, it transpired that petitioner's mother had died earlier.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant based on suspicion. It is also submitted that it has been specifically pleaded that mother of the petitioner, Ram



Pyari Devi, is still alive and in support of the same, voter list as also been annexed. It is also submitted that it absolutely does not stand to reason that on what basis it has been alleged that mother of the petitioner had died earlier when she had executed the sale deed.

5. Learned A.P.P., Shri. Rabindra Kumar, opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of allegation as alleged in the FIR, it would manifest that it were the identifier and the witnesses of the sale deed, who disclosed the said fact to the informant. It is also submitted that it appears that the identifier and the witnesses on coming to know that they have been duped and would get implicated subsequently, as such, they disclosed the said fact to the informant. It is also submitted that informant instantly did not institute an FIR rather gave an opportunity to the petitioner to produce his mother based on which the wife of the petitioner came to the office of the informant but when informant requested her to bring the seller of the property before him, she did not appear which amply demonstrates that the sale deeds were executed in favour of the petitioner only for the reason that petitioner intended to usurp the property of his brother which on death of his mother would have been divided equally between



him and the legal heirs of his deceased brother. Learned APP further submits that had the mother of the petitioner been alive in that event petitioner would have filed an application before the informant prior to institution of the instant FIR requesting him to verify the fact that as to whether his mother is alive or not, it is thus submitted that the conduct of the petitioner also does not inspire confidence.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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