

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34055 of 2024

Arising Out of PS. Case No.-432 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Babita Kumari Wife of Rajeev Ranjan @ Santoshi Baba @ Rajeev Ranjan Kumar @ Santosh Baba Resident of Village - Madwa, Isuapur, P.S.- Isuapur, District - Chhapra (Saran).
2. Rajeev Ranjan @ Santoshi Baba @ Rajeev Ranjan Kumar @ Santosh Baba Son of Baidya Nath Chaturvedi Resident of Village - Madwa, Isuapur, P.S.- Isuapur, District - Chhapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Baikunthpur P.S. Case No. 432 of 2023 for the offence registered under sections 467, 468, 471, 420 and 34 of the Indian Penal Code lodged on 11.12.2023 by the informant, Avinash Kumar.

3. As per the prosecution story, the allegation against the accused persons is/are that the ancestor land of the informant has been sold by Satrugan Singh to the petitioner no. 1 who is wife of petitioner no. 2. Further, allegation is against petitioner no. 2 of preparing forged documents. Accordingly, the F.I.R.



4. Learned Counsel for the petitioners submit that the Satrugan Singh is maternal nephew of the informant. Further, there may be land dispute between the informant and the accused, Satrugan Singh, they have no role to play. They themselves being sufferer, being vendee and have purchased the disputed land and also facing this F.I.R.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that as per the F.I.R., the petitioner no. 2 is preparing other forged documents also.

6. There is nothing on record to show the documents that has been forged by the petitioner no. 2, admittedly, the petitioner no. 1 is the purchaser, the vendor is Satrugan Singh, F.I.R lodged, they will be facing the trial, do not have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case



No. 432 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show their *bona fide*;

(ii) the petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioners 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 their bail bonds;

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

(Rajiv Roy, J)

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