

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39873 of 2024

Arising Out of PS. Case No.-282 Year-2021 Thana- BUXAR District- Buxar

=====

Munna Bin @ Munna Bind Son of Late Jomdhari Bind Resident of Village -
Kanjiyo, P.S.- Sikroll, District - Buxar.

... .. Petitioner

Versus

1. The State of Bihar
2. Ramashankar Dubey Son of Late Jagnath Dubey R/o Village - Dubouli,
P.S.- Sikraul, Dist.- Buxar

... .. Opposite Parties

=====

Appearance :

For the Petitioner	:	Mr. Anand Kumar Ojha, Advocate
For the State	:	Mr. Arvind Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 14-11-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Buxar (Town) P.S. Case No. 282 of 2021, lodged on 22.06.2021 for the offences punishable under Sections 419, 420, 467, 468, 471 and 120(b) of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the petitioner against whom there is an allegation that all the accused persons in connivance with each other, fraudulently registered the informant's property under life threat from the informant's mentally disabled son by using forged documents. The specific



allegation against the petitioner is that he identified the seller of the deed as a fit and healthy person, despite the fact that the seller was mentally ill.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner is not the official beneficiary which is apparent from the contents of the FIR. Counsel further submits that the other co-accused persons have been granted bail by this Court vide order dated 24.02.2023 passed in Cr. Misc. No. 61921 of 2022. Counsel further submits that the criminal antecedent of the petitioner is clean and he is ready to fulfill all conditions whatsoever shall be imposed to him.

5. Learned APP for the State opposes the prayer for bail and submits that the case of the person whose bail has been granted stands on a different footing. Those who have been granted bail had no role in the creation of the said documents, the only allegation against them is that they are beneficiaries. However, the present petitioner is accused of identifying a mentally ill person as a genuine and healthy person.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.



7. It is directed to the petitioner to surrender before the Trial Court within a period of four weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

Aman Kumar/-

U		T	
---	--	---	--

