

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39195 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- PHULWARISHARIF District- Patna

Munna Singh @ Shailendra Sharma @ Shailendra Kumar Son of Sri Ramjee
Singh R/O Village- Badipur, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-06-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Phulwarisharif P.S. Case No. 497 of 2023 instituted under Sections 506, 406, 420, 467, 468, 120(B) of the Indian Penal Code lodged on 29.3.203 by the informant, Ram Ishwar Singh.

3. As per the prosecution story, the informant alleged that his land was sold by one Ajay Kumar with the help of the officials of the Phulwarisharif registration office on the basis of forged documents. Thus, he had belief that Ajay Kumar and Rakesh Kant conspired against him with the officials to prepare forged documents for the transfer of the land. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the allegation mainly is against Ajay Kumar and Rakesh Kant as



also the officials of registration office, Phulwarisharif, so far as this petitioner is concerned, he is the deed writer, on the fee paid by the parties, he simply wrote the deed for which in supervision note, his name has been dragged in. He is ready to cooperate in the investigation and if the charge-sheet submitted against him to face the trial.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the aforesaid facts, the main beneficiary is/are Ajay Kumar/Rakesh Kant, the petitioner is the deed writer, though he has criminal antecedent, now his name has come and will have to face the trial, so far as anticipatory bail is concerned, this Court is inclined to extend him the privilege of anticipatory with conditions.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Phulwarisharif P.S. Case No. 497 of 2023 to the satisfaction of learned ACJM-XIV, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 co-operate in the investigation and make himself available to the police as and when required;

(iv) 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 the bail bonds;

(v) 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.

(Rajiv Roy, J)

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