

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52259 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- CIVIL LINE District- Gaya

Arvind Sen S/o Vishnu Sen R/o Mohalla - Bahuar Chaura, P.S. - Vishnupad,
Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Civil Line P.S. Case No. 229 of 2023 dated 29.03.2023, lodged under Sections 419, 420, 467, 468 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against one named accused person. The allegation in the FIR is that the accused person has obtained registration of a land from District Registrar Office, Gaya by hiding the plot on which, there was restriction from registration which is a gross violation under the provisions of section 82 of the Registration Act, 1908.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that admittedly the petitioner is not named in the FIR. Counsel also submits that apprehension of arrest has been made to the petitioner in this case only due to the reason that he was the witness on the said registration deed which is the subject matter of the present case. Counsel submits that the interpolation has been made in the contents of the deed. Counsel submits that being the witness of the deed, the petitioner has only identified the purchaser's name and signature. Counsel further submits that on page no.19 of the bail application, he has categorically stated that:-

“मैं लेखाकारी को जानता एवं पहचानता हूँ
इन्होंने मेरे सामने अपने बायें हाथ की चारों
उंगलियों का निशान मेरे सामने बनाये।
अपना अरविन्द सेन”

5.Learned counsel for the petitioner further submits that the criminal antecedent of the petitioner is not clean and there are two criminal cases pending against him in which in both the cases, he is on bail. Counsel submits that the present witness (petitioner) was completely unaware that what is written in the deed, therefore, he deserves bail as the informant of this case has rightly not made the petitioner accused, but it is the police who has unnecessarily with a view to harassing the petitioner is searching him due to which, there is apprehension



of arrest.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Gaya in connection with Civil Line P.S. Case No. 229 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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