

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54375 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- CHANDAUTI District- Gaya

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Chandradip Ram, Male, aged about 70 years, Son Of Late Deodhari Ram,
R/V- Village- Koshma, P.S.- Chandauti, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chandauti P.S. Case No. 85 of 2023 dated 02.02.2023 registered for the offences punishable under Sections 406 and 420 of the I.P.C. Later on, Sections 467, 468, 471 and 120B of the I.P.C. were also added.

3. As per the prosecution case, there is a land on the name of the informant's father, namely, Ram Lakah Yadav, in the village-Kosma bearing Khata No. 65, Plot No. 896, an Area 22.05 decimal. It is further alleged that the land mafia, the co-



accused Rajesh Kumar got registry of the said land by standing and by taking photograph of Chandradeep Ram (petitioner) in the Registry Office in place of his father Ram Lakhan Yadav of the aforesaid khata, plot and land on 09.07.2022 which is serial no. 15990, Book No. 1, Deed No. 15670 and the co-accused Pinku Kumar is the identifier and Pankaj Kumar is the witness of the said deed and forged registry has been done by Bhola Paswan which is quite wrong and committed forgery and cheated.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that as per the F.I.R., it is admitted that the petitioner is neither the vendee nor the vendor of the land in question. The specific allegation of committing forgery has been alleged against the co-accused Rajesh Kumar who played the vital role to transfer the land in question by playing fraud in the registry office. The said co-accused Rajesh Kumar has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 251 of 2024 under order dated 05.02.2024. It is further submitted that the petitioner has no role to execute the sale deed i.e., neither he has signed nor he identified any one. The petitioner is an illiterate person and on



assurance given by the co-accused Rajesh Kumar, he was present in the Registry Office. The petitioner is aged about 70 years old. It is further submitted that the occurrence took place on 09.07.2022 as to when the F.I.R. has been lodged on 02.02.2023 after a lapse of six months and the delay in lodging the F.I.R. has not been explained by the prosecution. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 17.08.2023.

5.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Gaya in connection with Chandauti P.S. Case No. 85 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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