

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57832 of 2024

Arising Out of PS. Case No.-292 Year-2014 Thana- DIGHA District- Patna

Rakesh Kumar Singh Son of Late Bharat Singh R/o Lakshminia Gali, Digha,
P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi W/O- late Nityanand Singh, resident of Patel lane, Ramjichak,
P.S - Digha, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanchay Srivastava, Adv. Mr. Sushant Srivastava, Adv. Mr. Ashish Kumar Palit, Adv.
For the Opposite Party/s :		Mr. Ramchandra Sahni
For the O.P. No. 2	:	Mr. Dharamveer, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the opposite
party no. 2.

2. The petitioner apprehends arrest in connection with
Digha P.S. Case No. 292 of 2014 dated 18.11.2014, instituted
for the offence punishable under Sections 420, 467, 468, 323,
379 and 120B of the Indian Penal Code.

3. The allegation against the petitioner is that he in
conspiracy with other accused persons prepared forged
baibeyana deed to grab the land of the informant and the
petitioner is the deed-writer/scriber of those documents.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner is registered deed writer/scriber in Patna Sadar Registry. It is submitted that earlier the father of the complainant executed a deed of agreement with co-accused Umesh Chandra Rai which was drafted by him on 26.10.2005 and thereafter the Power of Attorney was executed by Baijnath Singh on 16.01.2007. In compliance of the Deed of Agreement and general Power of Attorney dated 16.01.2007, the sale deed was executed in favour of wife of Shyam Bihari. The petitioner is also the scribe of the said documents as he is a professional deed writer. The petitioner has no role in execution of sale deed and he is earning his livelihood by working in the Registry Office. The petitioner is neither the vendor nor he has received any amount on behalf of the vendor. There is no specific allegation against the petitioner to be involved in this case anywhere in making the forged documents in any manner. Lastly, it has been submitted that he has no criminal antecedent.

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

6. On the other hand learned counsel for the opposite party no. 2 has opposed the prayer for bail of the petitioner and



submitted that in connivance with other accused persons the petitioner has prepared the sale deed.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Digha P.S. Case No. 292 of 2014, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIIIth, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

prabhat/-

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

