

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60000 of 2024

Arising Out of PS. Case No.-383 Year-2024 Thana- DEHRI TOWN District- Rohtas

Ajay Kumar son of Late Kailash Singh, R/o village- Baradhigola, PS- Akorhigola, Dist- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shashank Chandra, Advocate
		Mr. Shankar Kumar, Advocate
For the Opposite Party	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Shashank Chandra, the learned counsel

for the petitioner and Mr. Mithlesh Kumar Khare, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Dehri (Town) PS Case No. 383 of 2024
(5125024240383), FIR dated 06.06.2024, registered for the
offences punishable under Sections 420, 467, 468 and 471 read
with Section 34 of the Indian Penal Code.

3. According to the prosecution case, the petitioner

and one Neelam Kumari in collusion with the deed writer got
sale deeds registered in their favour for the land which belongs
to informant by impersonating informant's father with some
other Ajay Kumar Sinha.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, petitioner is the bonafide purchaser of the land in question, after paying the consideration amount to one Rajesh Kumar and the said amount was paid through bank transaction. Thereafter, the informant filed an appeal for cancellation of mutation, which was issued in favour of the petitioner on 20.12.2023 and till that date, the informant did not file any FIR against the petitioner. However, on 06.06.2024, the informant had filed the present FIR against the petitioner, only to harass the petitioner.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner in collusion with the co-accused persons has committed the present crime in question. Apart from that, the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner is bonafide purchaser of the land in question and he has paid the consideration amount to the



property dealer and accordingly the sale deed was executed in his favour, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dehri (Rohtas), where the case is pending in connection with **Dehri (Town) PS Case No. 383 of 2024 (5125024240383)**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and



in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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