

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63039 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- DESARI District- Vaishali

1. Shrawan Rai @ Shrawan Ray Son of Khijan Rai Village- Rampur Kichni, P.S.- Desari, District- Vaishali
2. Abhay Kumar Son of Shrawan Rai Village- Rampur Kichni, P.S.- Desari, District- Vaishali
3. Pawan Kumar Son of Rajesh Rai Village- Desari, P.S.- Desari, District- Vaishali
4. Ramesh Kumar Singh @ Ramesh Singh Son of Ajay Singh Village- Desari, P.S.- Desari, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vasant Vikas, Adv.
For the Opposite Party/s	:	Mrs.Renu Kumari, APP
For the Informant	:	Mr.Sharad Kumar Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable u/s 467, 468, 471, 420 and 120(B) IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners are said to have took the informant to register a land in their favour but in place of the agreed land, they got executed deed of another land of the informant and when she went to complain about the same to the accused persons, they transferred the land in favour of the



petitioner no.1 and thereafter, harassed the informant to vacate the land.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is only alleged that the first purchasers (accused) Vikash Kumar and Deepak Kumar transferred the land in question in favour of the petitioner no.1. The real fact is that Deepak Kumar and Vikash Kumar proposed to sale their land to the petitioner and since the jamabandi was in their name, the petitioner agreed to purchase the land. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the informant is an illiterate widow lady and the accused persons have committed fraud with her by executing her other land in their favour.

6. Having regard to the facts and circumstances of the case, considering that there is no specific overt act against the petitioner nos.2 to 4, let the above named petitioner nos.2 to 4, be released on bail, in the event of their arrest or surrender



before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Desari P.S. Case No.90 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, considering the nature of allegation, I am not inclined to enlarge the petitioner no.1 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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