

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71024 of 2024

Arising Out of PS. Case No.-296 Year-2023 Thana- BALIYA District- Begusarai

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1. Santosh Yadav @ Santosh Kumar S/o- Bhikhari Yadav Village- Tulsi Tola, Paharpur, W.No-2, Ps- Balia, District-Begusarai
 2. Bocho Mahto @ Bicho Mahto @ Bechan Mahto @ Bochan Mahto Son of Late Banarsi Mahto Village- Kamalpur w.No-17, Ps- Balia Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ramprakash Singh Son of Mathra Singh Village- Telghi Ps- Kharif Naugachhiya Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Devika Rani
For the Informant	:	Mrs. Eashita Raj
For the Opposite Party/s	:	Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 13-12-2024 Heard learned counsel for the petitioners and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Balia P.S. Case No. 296 of 2023 dated 22.10.2023 registered for the offences punishable under Sections 420, 467, 468, 471, 384 and 448/34 of the I.P.C.

4. As per the prosecution case, the informant's land was sold by the accused persons on the basis of forged documents. It is further alleged that on 09.07.2023 when the



witness nos. 1, 2 and 3 of the complaint were doing work on the said land then the accused persons including the petitioners came and abused him and demanded rangdari of Rs. 50,000/-.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is general and omnibus allegation against the petitioners. It is further submitted that the petitioners are cheated by the co-accused, Brajesh Nandan Singh who has executed a sale deed in favour of the wife of the co-accused Sulendar Mahto and others on 11.01.2023. The alleged occurrence took place from 24.06.2023 to 09.07.2023 as to when the F.I.R. has been lodged on 17.07.2023 and delay for the same has not been explained by the prosecution. The petitioner no. 1 has no criminal antecedent and the petitioner no. 2 has two criminal antecedents as stated in paragraph no. 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in connection with Balia P.S. Case No. 296 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioners are 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 petitioners are liable to cancelled.

(ii). If the petitioners are found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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