

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71947 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

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1. Jai Prakash Singh S/o- Girdhari Singh Chakrahasi Ps- Buxar, M Dist- Buxar
 2. Rahul Kumar @ Rahul Kumar Singh Son of Ram Dhar singh @ Ram Dhar Koeri @ Rama Dhar Koeri Village- Hukaha Ps- Buxar M Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-11-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Buxar (Muffassil) Police Station Case No. 195 of 2024, disclosing offences under Sections 419/420/467/468/471/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the informant and his sister-in-law Rani Devi purchased a piece of land by way of two registered sale deeds from Raghvendra Kishore Srivastava, situated at Mauza Hukaha, Thana No. 281, bearing Khata No. 185, Plot No. 46, having an area of 198 decimals. Thereafter, the informant got the information that accused Dhananjay Singh has executed a



forged sale deed, dated 24.01.2024, and in that sale deed some fictitious person has been impersonated as seller Raghvendra Kishore Srivastava. The petitioner is one of the identifier and witness in the forged sale deed. After execution of the sale deed, the accused persons, armed with rifle, pistol, katta, lathi and bhala, came on 05.03.2024 and threatened to kill the informant and his family members.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and has been implicated in the present case merely because he happens to be the identifier/witness and not the beneficiary in the sale deed executed on 24.01.2024 and has no role in the alleged occurrence. He next submits that there is inordinate delay of 04 months in lodging the First Information Report inasmuch as the occurrence took place on 05.03.2024, whereas, the First Information Report has been lodged on 01.07.2024. He further submits that Title Suit No. 418 of 2024 is pending before the concerned Civil Court for the dispute related to the land, in question. The petitioner has got no criminal antecedent.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation



and the fact that the petitioner is identifier/witness in the sale deed and not the beneficiary and the title suit for the land, in question, is pending before the concerned court, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Buxar (Mufassil) Police Station Case No. 195 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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