

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79393 of 2024

Arising Out of PS. Case No.-648 Year-2022 Thana- BIHTA District- Patna

SHIVNANDAN RAI @ SUNANDAN SINGH S/O- SHYAM HARI RAI @
LATE SHYAM HARI RAI RESIDENT OF VILLAGE-KHUSHAL CHAK, P.
S.-GAURICHAK, DIST-PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. JEETAN RAI S/O- LATE SHYAMHARI RAI @ SHYAM HARI RAI
RESIDENT OF VILL-KHUSHHAL CHAK, P.S.-GAURICHAK, DIST-
PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP
For the O.P. No.2	:	Mr. Girish Chandra Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 04-12-2024 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the opposite party

no.2.
2. The petitioner apprehends his arrest in Bihta P.S. Case No.
648 of 2022 registered for the offences punishable under
Sections 420, 467, 468 and 471 of the Indian Penal Code.
3. The petitioner is said to have hatched a conspiracy with an
intention to grab the valuable land of the complainant/opposite
party no.2 prepared fake partition deed and panchnama as also
the jamabandi of the complainant's land.
4. It is submitted by learned counsel for the petitioner that no



such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the opposite party no.2 and petitioner are own brother and petitioner is having no concern with the land of the opposite party no.2 but due to family politics the name of the petitioner has transpired in this case. As a matter of fact, the petitioner is the co-sharer of the land. It is further submitted that the dispute inter se is purely civil in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 vehemently opposing the bail petition submitted that the prayer for bail of one co-accused, namely, Jitendra Kumar Singh has already been rejected by a coordinate Bench of this Court vide order dated 02.12.2024 passed in Cr. Misc. No.78935 of 2024 and the petitioner's case also stands on similar footing. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.



However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

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

