

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82298 of 2023

Arising Out of PS. Case No.-716 Year-2022 Thana- BARHARA District- Bhojpur

Raghvendra Kumar Singh Son of Late Lal Saheb Singh Resident of Village -
Mohanpur Karja, P.S.- Barhara, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Barhara P.S. Case No. 716 of 2022, registered on 13.10.2022 for the offences under Sections 447, 420, 467, 468, 469/34 of the Indian Penal Code.

3. As per prosecution case, the informant gave a written report that co-accused persons got a forged document prepared for transfer of land from the deceased uncle of the informant and this petitioner and co-accused Shrawan Kumar witnessed the fraudulent agreement.

4. The learned counsel for the petitioner submits that the petitioner been falsely implicated in this case and he has



no role in the alleged occurrence. The petitioner is merely a witness and not a beneficiary from the agreement. The said agreement was executed in 2008 and after delay of 15 years the present case has been lodged. It is apparent from the FIR that co-accused Ramchandra Singh and Sanjeev Kumar Singh @ Budhan Singh are in possession of the land in question. The similarly placed person Shrawan Kumar has been granted anticipatory bail by the learned court below. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the rejection order shows the petitioner might have been entered into agreement with the deceased uncle of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that since petitioner is not the ultimate beneficiary, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara/concerned court in



connection with Barhara P.S. Case No. 716 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

However, before accepting the bail bond of the petitioner, the learned court below will verify whether the petitioner is a beneficiary or not and if it is found that the petitioner is a beneficiary, then his bail bond will not be accepted.

(Arun Kumar Jha, J)

DKS/-

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

