

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5190 of 2025

Arising Out of PS. Case No.-223 Year-2024 Thana- MAHNAR District- Vaishali

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Raghubash Ray @ Raghuvarsh Ray S/o Late Shiv Chandra Rai R/o Village-
Narayanganj, 28 Tola, Nayagaon, P.S.- Desari, Dist.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Arun Mahto S/O-Late Shivji Mahto, R/V-Sultanpur PS-Desri Dist.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajeev Ranjan No. II, Adv
		Mr. Pranav Kumar, Adv
For the State	:	Mr.Dr.Mrityunjaya Kr.Gautam, APP
For the OP.No.2		Ram Sharan Roy, Adv

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 06-08-2025 Heard learned counsel for the petitioner, learned
counsel for the OP.No.2 and the learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 410, 420, 467, 468
471, 472, 34 of the Indian Penal Code.

3. The case of the prosecution is that the land belonging
to the informant was fraudulently sold off by one Binod Mahto
to the present petitioner Raghubansh Ray and after coming to
know of the same on 04.06.2024 and finding the same from the
registry office, the informant filed the present case.

4. Learned counsel for the petitioner submits that the
petitioner had purchased the plot in question from one Binod



Mahto upon valid documents by valid sale deed, which is Annexure P-2. It is further submitted that Binod Mahto had sold a part of his share from his ancestral property to the petitioner on 24.05.2024 and he was thus only a purchaser of the said property. The learned counsel for the petitioner also referred to a Title Suit no. 80 of 2024 having been filed on behalf Binod Mahto, which is still pending adjudication and a copy of the same has been annexed as Annexure P-3 to the present application. It is next submitted that the petitioner is an innocent purchaser having no criminal antecedent.

5. Learned counsel for the O.P.No.2 however, opposes the anticipatory bail and has also filed a counter affidavit to bring on record the genealogical table of his legal heirs to show that the said Binod Mahto was not a part of the family and the petitioner being well aware of the same has connived with the said Binod Mahto and purchased his land.

6. Considering the rival contentions and also taking into consideration that fact that the petitioner is only a purchaser and there is a civil dispute going on between the parties, let the petitioner, in the event of his arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/ successor court in Mahnar P.S.Case No. 223 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C .

7. However, the petitioner would co-operate in the investigation and would not threaten the present informant as such allegation has been made on behalf of the informant.

(Soni Shrivastava, J)

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