

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10478 of 2025

Arising Out of PS. Case No.-1111 Year-2023 Thana- AGAMKUAN District- Patna

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Anuj Kishore Prasad S/o Late Jaleshwar Prasad R/o Vill. - Falli ,P.S.- Karai
Parsurai, Distt.- Nalanda. At present R/o Mohalla- Chanakya Nagar, Kumhrar,
P.S.- Agam Kuan, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirupama Sinha, D/O- R.C. Ghosh , R/O- Ramkrishna nagar P.O P.S.-
jaganpura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the O.P. No.2	:	Mr. Ranjit Choubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-05-2025 Heard Mr. Vijay Kumar, learned counsel appearing

on behalf of the petitioner; Mr. Binod Kumar, learned APP
appearing on behalf of the State and Mr. Ranjit Choubey,
learned counsel appearing on behalf of the Opposite Party No.2.

2. The petitioner apprehends his arrest in connection
with Agam Kuan P.S. Case No. 1111 of 2023 registered under
Sections 406, 420 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner
allegedly was instrumental in committing forgery with the
informant.

4. Learned counsel appearing on behalf of the
petitioner informs that specific allegation against the petitioner



is that he was instrumental in the forged transaction and was also a witness to the same. Learned counsel further submitted that to buy peace of mind and to avoid any disciplinary action, the petitioner, who is a government teacher, is ready to return back a sum of Rs.10 lakhs from his own pocket to the cousin brother of the informant, even though, no such allegation has been made by the cousin brother of the informant. He further submitted that the petitioner is ready to return a sum of Rs.10 lakhs to the cousin brother of the informant at the time or before furnishing of the bail bond.

5. Mr. Ranjit Choubey, learned counsel has tendered his appearance on behalf of the informant and has vehemently opposed the prayer for grant of pre-arrest bail.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that case of forgery is made out, as from the very beginning, the petitioner along with the accused persons have deceived the informant by showing a plot, which is not registered in the name of the co-accused Kamta Prasad. On these grounds, he submitted that complicity of the petitioner in the alleged commission of forgery is reflected from the very fact that a sum of Rs.10 lakhs was deceived by the petitioner *in lieu* of getting the said piece of



land registered in the name of the informant.

7. Having considered the rival submissions made on behalf of the parties, as well as, though the ingredients of Section 406 and 420 of the Indian Penal Code has been made out, however, I find that the petitioner has changed his mind and he is ready to return a sum of Rs.10 lakhs to the cousin brother of the informant at the time or before furnishing of the bail bond, I am of the opinion that the petitioner in that case has, *prima facie*, made out a case to be released on anticipatory bail.

8. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) along with the acknowledgment with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Patna City, Patna in connection with Agam Kuan P.S. Case No. 1111 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in



paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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