

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22059 of 2025

Arising Out of PS. Case No.-466 Year-2023 Thana- DHAKA District- East Champaran

Rupesh Kumar Son of Shivshankar Tiwari village- Barharwa Siwan, ps-
Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Raj

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Dhaka P.S. Case no.466 of 2023 registered for the offence punishable under sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per the prosecution case, informant namely Shamim Akhtar, alleged that on 11.03.2021 after paying full consideration money informant purchased land from Md. Hussain and has full title and possession over the land. But after some time, all named accused persons started creating disturbance and threatened to dispossess the informant on the ground that the land in question has already been purchased by them from Antima Tiwari. It is alleged that accused persons



under a conspiracy fraudulently on the basis of forged documents purchased the land in question.

4. Learned counsel for the petitioner submits that he has been falsely implicated in this case merely because he happens to be husband of co-accused Antima Tiwari. Dispute is purely civil in nature. He is neither vendor nor vendee. Informant has already filed a Title Suit (Title Suit No. 139/2023) before sub-Judge, East Champaran for the cancellation of sale deed. He also submits that co-accused Antima Tiwari has been granted anticipatory bail by this Court vide order dated 06.12.2024 passed in Cr. Misc. No. 54976 of 2024.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the nature of dispute which is primarily civil in nature and one co-accused has already been granted bail by this Court, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, be released on anticipatory bail in connection with Dhaka P.S. Case no.466 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate, East Champaran, Motihari, , subject to condition as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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