

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20976 of 2025

Arising Out of PS. Case No.-515 Year-2023 Thana- DHAKA District- East Champaran

Rupesh Kumar S/o. Shivshankar Tiwari R/o - Barharwa Siwan, P.S- Dhaka,
Dist.- East Champran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Dhaka P.S. Case No. 515 of 2023, lodged on 09.09.2023, under Sections 420/467/468/471/506/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against ten named accused persons including the present petitioner against whom allegation is that the land of the informant has been sold by the accused persons in connivance



with each other putting a forge person before the Registry Office and the petitioner is an identifier of the said person.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that he is not the beneficiary and just identified the seller. He submits that similarly situated co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 10.05.2024 passed in Cr. Misc. No.22450 of 2024 with analogous case. Counsel submits that antecedent of the petitioner is not clean. There is one criminal case pending against him in which he is persuading for bail. Counsel submits that his case is based on equal footing as like that of other co-accused who have been granted anticipatory bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the case of the petitioner is different from those persons who have been granted anticipatory bail and petitioner is the person who has identified a forge person as a genuine one.

6. In this view of the matter, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from



today, the prayer for regular bail shall be considered without
being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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