

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20022 of 2025

Arising Out of PS. Case No.-768 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Surenbra Ray @ Surenbra Prasad S/o Marai Ray R/o Village - Sandha, P.S -
Chapra muffasil, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 14-07-2025 Heard Mr. Vijay Kumar Srivastva, learned counsel for
the petitioner and Mr. Ajay Kumar Jha, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Chapra Muffasil P.S. Case No. 768 of 2023,
F.I.R. dated 24.09.2023 for the offences punishable under
Sections 420, 468 and 471 of the Indian Penal Code.

3. According to prosecution case, the informant
alleged that the accused persons including the petitioner have
sold the 9 *katha* land out of 44 *katha* appertaining to Khata No.
540, Plot No. 4662, Area-44 *katha* situated behind Mauza-
Brahmpur to the informant and assured them to make boundary
wall to the said land but they did not do the same and the
accused persons sold the said land to other person also.



Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that from a bare perusal of the F.I.R., it appears that the present F.I.R. has been instituted in the year 2023 and the date of occurrence as alleged in the F.I.R. is in the year 2011 which suggests that after 12 years, F.I.R. has been instituted against the petitioner and other co-accused persons. Petitioner is not a beneficiary of the sale deed in question and only allegation against the petitioner is that the informant had deposited Rs. 2,30,000/- (Rupees Two Lakhs and Thirty Thousand) in the account of the petitioner but informant has not produced any cheat of paper which suggests that the petitioner did not receive any amount.

5. Despite of time granted to the opposite party no.2, no one appears on behalf of the opposite party no. 2, however, learned Additional Public Prosecutor for the State is present and he has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that in one case he is on bail and in second case, police has not submitted final form in favour of the petitioner.

6. Considering the aforesaid facts and



circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 768 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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