

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23902 of 2024

Arising Out of PS. Case No.-626 Year-2023 Thana- RUPASPUR District- Patna

Rohan Raj S/o Late Suresh Prasad R/o 338G/M245, Ram Suchit Mishra Path,
East Boring Canal Road, P.S. - Buddha Colony and Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Chandra, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 22-01-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471, 506, 386, 387 and 34 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner, being purchaser of the land,
has been falsely implicated in the instant case by the informant.
It is further submitted that petitioner was known to one Mukesh
and he made him meet a lady by the name Madhvi and
thereafter showed him the document relating to the land. The
petitioner being convinced with the document became ready to
purchase the land, accordingly, sale deed was executed by
Madhvi with whom the petitioner had met through Mukesh. It is



next submitted that petitioner also paid the entire consideration to Madhvi and brokerage to Mukesh and thereafter applied for getting the purchased land mutated. It is also submitted that even mutation was done and Jamabandi in the name of the petitioner with respect to the purchased land was created. It is submitted that even petitioner after getting the Jamabandi of the land created sold the land to a different purchaser, namely, Shiv Shankar Pandit and Shiv Shankar Pandit also after purchasing the land got his name mutated over the land, thereafter the instant FIR came to be instituted.

4. Learned counsel for the petitioner, thus, submits that petitioner was completely unaware that he was duped by Mukesh and Madhvi. It is further submitted that petitioner was cheated of his hard earned money which he paid by way of consideration for purchasing the land in question. It is next submitted that now Shiv Shankar Pandit is also asking the petitioner to return the amount and the petitioner has filed a complaint case being Complaint Case No. 9017 of 2023 in the Court of learned Chief Judicial Magistrate, Patna in which Mukesh and the said Madhvi have been made an accused. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.



5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees 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 connection with Rupaspur P.S. Case No. 626 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned trial court that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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