

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29311 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Chandeshwar Rai Son of Late Nathuni Rai Resident of Village - Dharampur,
P.S.- Rampurhari (Minapur), District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi W/O Nawal Kishore Rai, R/O - Maksudpur, P.S. Minapur,
District - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the complainant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr. Ravi Ranjan, learned counsel for the

petitioner, Mr. Santosh Kumar, learned counsel for the

Complainant as well as Mr. Amitesh Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Rampur Hari P.S. Case No. 90 of 2024, F.I.R.
dated 03.05.2024 for the offences punishable under Sections
420, 406, 424, 115, 120(B), 302/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused persons have fraudulently executed the sale
deed and transferred the land of the complainant's mother in
their name.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. From perusal of the F.I.R./complaint petition, it appears that there is no specific allegation against in the complaint petition which was registered in the present F.I.R. It appears from the complaint petition that the land in question was registered on 12.06.2023 and the mother of the informant/complainant died on 25.09.2023 and the present complaint petition has been filed after the death of the mother of the informant/complainant. The complaint petition was forwarded to S.S.P. Muzaffarpur for registering the F.I.R vide order dated 16.12.2023. Apart from that the complainant suspects that the petitioner and other accused persons have ousted her mother from the house on 27.07.2023. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and in fact, the mother of the complainant, namely, Krishna Devi was present in the office of Sub-Registrar, Muzaffarpur and executed the sale deed no. 21436 dated 27.07.2023 in favour of Musmat Jagati Devi which suggest that the petitioner and other accused persons have not ousted the mother of the complainant. He further submits that the similarly situated co-accused, namely, Sakindra Roy @ Satendra Kumar



& Ors. have been granted anticipatory bail by this Court vide order dated 14.05.2025 passed in Cr. Misc. No. 9046 of 2025.

5. The learned counsel appearing on behalf of the complainant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the similarly situated co-accused persons have been granted bail by this Court, let the petitioner, above named, in the event of 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Rampur Hari P.S. Case No. 90 of 2024, 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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