

Arising Out of PS. Case No.-2108 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

- Petitioner/s

Versus

1. The State of Bihar
2. USHA RAI WIFE OF VIJAY SHANKAR RESIDENT OF VILLAGE-HARDASPUR, THANA.- KARIMUDDINPUR , DIST- GHAZIPUR, STATE- UTTAR PRADESH

... .. Opposite Party/s

For the Petitioner/s : Mr. Sanjeev Mishra, Sr. Advocate
Ms. Manini Jaiswal, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-01-2025 Heard Mr. Sanjeev Kumar Mishra, learned Senior
counsel and the State

2. The petitioner no. 3 is apprehending his arrest in connection with Complaint Case No. 2108 of 2022 for the offence under Sections 420, 406, 468, 467, 506 and 34 of the I.P.C. lodged on 23.11.2022 by the complainant, Usha Rai.

3. Earlier while granting relief to petitioner no. 1 and 2 on 10.07.2024 on the ground that they are lady and have



purchased the land bonafidely, notice was issued to the opposite party no. 2 and as per the cause list she is represented through Mr. Saghir Ahmad. However, there is no appearance on call.

4. It is the case of the learned Senior counsel that he actually has purchased the land in the name of the petitioner no. 1 and 2 namely, Seema Devi and Rekha Devi being the father-in-law. The main allegation is against Vinod Kumar Rai, the brother of the complainant, Usha Rai, a blind person and taking benefit of that, allegation is that the brother executed the land which actually belongs to her.

5. Learned APP opposes the prayer submitting that he being the purchaser cannot be exonerated from the charges.

6. Having gone through the facts of the case, the submission of the parties as also that petitioner no. 3 has purchased the land in the name of the two daughters-in-law who have already granted relief on 10.07.2024 and the main role is assigned to Vinod Kumar Rai, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner no. 3 be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the



satisfaction of learned Judicial Magistrate, First Class, Bhagalpur, in connection with Complaint Case No. 2108 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner no. 3 who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 3 shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner no. 3 shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner no. 3 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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