

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63069 of 2024

Arising Out of PS. Case No.-822 Year-2022 Thana- PHULWARISHARIF District- Patna

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Pappu Kumar Son of Gajendra Sharma Resident of Village - Gajachak
Mohammadpur, P.S.- Janipur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Ansiur Rahman, Adv
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 23-06-2025 Heard learned counsel for the petitioner, learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 419,420, 467,468,471
and 120B/34 of the Indian Penal Code.

3. The prosecution case is that the informant had
purchased a piece of land from Ribla Devi at the instigation of
Manoj Kumar @ Badshah Singh and others and mutation paper
was also issued in favour of the informant. However, when the
informant went to construct a boundry wall on the said land
then she came to know that the land is in the name of another
person and the accused persons named in the FIR have taken
an amount of Rs.21,45,000/- from the informant by showing
forged documents of the said land.

4. Learned counsel for the petitioner submits that it
would be apparent from the reading of the FIR that the



petitioner is not named in the FIR and the specific names of five persons, who are vendors and witnesses appears in the FIR, who have taken an amount of Rs. 21,45,000/- from the informant. It has further been submitted that the petitioner is neither vendor nor witness to the alleged sale deed and his name has transpired only on the basis of confessional statement of co-accused Rashid Ansari. Further, the petitioner has not taken any money in the entire transaction. Only on basis of past similar criminal antecedents of 21 cases as per the criminal antecedent report, the prayer for bail of the petitioner has been rejected. However, the petitioner is on bail in all the cases. It has been pointed out that another co-accused namely, Jipu Kumar with absolutely similar allegations and also having criminal antecedent of 16 cases of similar nature has been granted anticipatory bail vide order dated 17.12.2024 passed in Cr. Misc. No. 60314.

5. The learned APP for the State and learned counsel for the O.P.No. 2 opposed the prayer for bail.

6. Considering all the above mentioned facts and circumstances and also considering that similarly situated co-accused Jipu Kumar has been granted anticipatory bail, let the above named petitioner, in the event of his arrest/ surrender



within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (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 Phulwari Sharif (Janipur) P.S.Case No. 822 of 2022, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further conditions:-

(i) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(ii) The petitioner shall appear before the Investigating officer of the concerned Police Station at an interval of every 15 days till submission of charge sheet.

(iii) Petitioner shall co-operate in the trial and shall physically appear on each and every date fixed by the Court till framing of charge and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(Soni Shrivastava, J)

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