IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77951 of 2026

CNR No. BRHC011091182026

Arising Out of PS. Case No.-252 Year-2022 Thana- AMAS District- Gaya

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Prithvi Raj Goswami @ Preethvi Raj Goswami @ Mantosh Kumar @ Baba S/O Gupteshwar Goswami @ Muneshwar Goswami Resident of Mohalla-Chandauti, Post-Chandauti, Police Station- Chandauti, District- Gaya

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Ranjan, Adv.
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amas P.S. Case No. 252 of 2022, F.I.R dated 08.07.2022, registered for the offences punishable under Sections 406, 420 and 506 of the Indian Penal Code.

3. According to prosecution case, the petitioner and co-accused Rakesh Ranjan allegedly pressured the informant to execute a sale deed in respect of her land appertaining to Khata No. 14, Plot No. 48, measuring 37.25 decimals, for a total consideration of Rs. 32,40,000/-. It is alleged that on 12.06.2021, both accused persons, along with 4-5 unknown persons, threatened and forcibly took her to the Registrar's

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Office, where she was compelled to execute the sale deed, and thereafter, only a cheque of Rs. 3,00,000/- was handed over to her. It is further alleged that, out of fear, she could not approach the police and that the accused persons threatened her and her sons with dire consequences, leading to the institution of the present F.I.R.

4. Learned counsel for the petitioner submits that the petitioner was merely a witness to the sale deed which it is said to have been executed by the informant, while the petitioner is neither the beneficiary nor is he connected with the said transaction in any manner. It has next been submitted that for the sale deed, which is said to have been executed on 12.06.2021, after a delay of more than one year, the instant F.I.R. is said to have been registered on 08.07.2022, and for all these years, at no point of time has the Investigating Officer found it appropriate to seek the appearance of this petitioner, and very recently, the petitioner came to know about the pendency of the instant case and, accordingly, he has sought the intervention of this Court by filing an appropriate anticipatory bail petition, as the offences are cognizable in nature. By referring to the judgment of the Hon'ble Apex Court rendered in the case of ***Gursewak Singh v. The State of Punjab, Petition for Special Leave to Appeal (Crl.)***

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No.11234/2025, it has been submitted that in a case where the Investigating Officer has not found it appropriate to seek the appearance of the accused or have arrested for four years, that in itself is a good ground to grant the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, particularly the fact that the petitioner is stated to have been merely a witness to the sale deed, coupled with the fact that the F.I.R. was instituted after a delay of more than one year from the alleged execution of the sale deed and that the Investigating Officer did not find it necessary to seek the petitioner's appearance for all these years, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of four weeks 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 J.M.F.C., Sherghati, Gaya, in connection with Amas P.S. Case No. 252 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of

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Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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