

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47332 of 2014

Arising Out of PS.Case No. -63 Year- 2014 Thana -GHORASAHAN District- EAST
CHAMPARAN (MOTIHARI)

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Saroj Kumar Son of Hiralal Mahto, resident of village - Nagarwa Tola, P.S.
Ghorasahan (Jharokhar), District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2. 04-03-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Ghorasahan
(Jharokhar) P.S. Case No. 63 of 2014 dated 13.02.2014
instituted under Sections 364/467/468/420/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
as per the allegation the petitioner had initially got registered
8 Kathas of land in his name and lateron 1 Katha 10 Dhurs
in the name of the mother, from the husband of the informant
who is said to have been made traceless by the petitioner but
the same is false. Learned counsel submits that the first sale
deed was executed on 26.06.2013 and the second on
29.10.2013 and the F.I.R. was lodged after eight months of the
first sale deed and four months of the second sale deed which

itself goes to show that the petitioner had no role in the husband of the informant allegedly becoming traceless. It is submitted that in the fardbeyan itself it has been stated that the husband of the informant was mentally weak. Learned counsel submits that with regard to the other sections of the Indian Penal Code, the same are not applicable as the matter is purely of civil nature and the criminal case is an abuse of the process of the Court. Learned counsel submits that the petitioner having no criminal antecedent is in custody since 18.09.2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner 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 Judicial Magistrate 1st Class, Sikrahana, East Champaran at Motihari in Ghorasahan (Jharokhar) P.S. Case No. 63 of 2014. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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