

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2828 of 2016

Arising Out of PS.Case No. -713 Year- 2015 Thana -KHAGARIA District- KHAGARIA

Ramesh Chandra Mishra, S/o Late Anik Lal Mishra, R/o Village- Muluk
Tanr, P.S.- Haweli Kharagpur, District- Munger, A/p residing at Nala Road,
Jaiprakash Nagar, P.S.- Khagaria (Town), District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.8598 of 2016

Arising Out of PS.Case No. -713 Year- 2015 Thana -KHAGARIA District- KHAGARIA

KAILASH VERMA @ KAUSHAL VERMA Son of Late Sunder Verma
Resident of village - Chandra Nagar (Ranko), P.S. Khagaria, District -
Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.2828 of 2016)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr,Adv,
Mr. Manish Kumar -3, Adv.

For the Opposite Party/s : Mr. Ashraf Ansari (App)

(In Cr.Misc. No.8598 of 2016)

For the Petitioner/s : Mr. Vinod Shanker Modi

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 04-03-2016 Both the cases arise out of the same Khagaria

(Chitragupta Nagar) P.S.Case No. 713/2015 (G.R.No.2638/2015)

and have, therefore, been heard together with the consent of the

parties.

These applications for grant of anticipatory bail arise out
of Khagaria (Chitragupta Nagar) P.S. Case No. 713/2015,

disclosing offences under sections 420, 467, 468. 471 of the Indian Penal Code.

Briefly stated, it is the case of the prosecution that the petitioner Kailash Verma of Cr.Misc.No. 8598/2016 executed sale deed with respect to a land in favour of co-accused Surya Narayan Yadav, which is a Gairmajarua Khas land. The petitioner of Cr.Misc.No. 2828/2016 was the Circle Inspector at the relevant point of time of the concerned Circle, who is said to have conspired, in getting the land mutated in the name of the said Surya Narayan Yadav.

Learned Senior counsel, appearing on behalf of the petitioner of Cr.Misc.No. 2828/2016, has submitted that with similar allegation the Circle Officer of the concerned Circle, namely, Pradeep Kumar Sinha, has been granted anticipatory bail by this Court vide order dated 1.2.2015 passed in Cr.Misc.No. 4431/2016. He has also submitted that the said Surya Narayan Yadav, in whose favour the land is said to have been executed fraudulently, has also been given the benefit of anticipatory bail.

Similar submissions have been advanced by the learned counsel, appearing on behalf of the petitioner of Cr.Misc.No. 8598/2016. In addition, he has submitted that considering the nature of controversy and the accusation against the petitioner,

there is little chance of tampering with the evidence or the petitioner fleeing from the course of justice.

Considering the facts and circumstances and the submissions as above, these applications are allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Khagaria (Chitragupta Nagar) P.S.Case No. 713/2015 (G.R.No. 2638/2015), subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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