

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45403 of 2017**

Arising Out of PS.Case No. -69 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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1. Suman Kumar Suman @ Pintu Yadav, son of Late Etwari Yadav,  
resident of Daudbat, P.S. Jagdishpur New Habibpur, District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      10-10-2017      Heard the parties.

The petitioner seeks regular bail in connection with Habibpur P.S.Case no.69 of 2016 instituted on the basis of Complaint Case No.1658 of 2016 registered for offences punishable under Sections 406, 420, 467, 468, 341, 323, 386, 327 and 504 of the Indian Penal Code.

Allegation against the petitioner is that though he executed power of attorney with respect to some parts of the land in favour of the informant and others and when the informant went for taking possession of the land, he was assaulted and demanded *rangdari* of Rs.15 lac.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case and as a matter of fact the petitioner has sold 56.05 decimals of land out of the total area



of 02 acre and odd and as there was no boundary, the informant went for possession over the land, to which he was objected and thereafter, a Title Suit bearing No.365 of 2016 was filed by the petitioner in the court of Subordinate Judge 1<sup>st</sup>, Bhagalpur and thereafter a series of cases have been lodged against the petitioner and in some of the cases, he is on bail. In the present case also the another co-accused has been granted anticipatory bail, who is wife of the petitioner. The petitioner is in custody for about 1 ½ months.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Shri Sulekha Jha, J.M. 1<sup>st</sup> Class, Bhagalpur in connection with Habibpur P.S.Case No.69 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the



prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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