

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9853 of 2017

Arising Out of PS.Case No. -55 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

Sarvjeet Choubey @ Sarbjeet Choubey

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Vilochan Tiwary

For the Opposite Party/s : Mr. Sri Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-03-2017 Heard the parties.

This application has been filed in connection with Bhabhua P.S.Case No.55 of 2014 for the offence under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

It is submitted on behalf of the petitioner that the petitioner is purchaser from the vendor and it is alleged that the vendor has no right to sale the property and the petitioner has got sale-deed executed in collusion with the vendor. It is also submitted that the petitioner is in custody since 24.01.2017 and the other co-accused persons, having similar allegation, have already been granted bail by this Court, vide order dated 23.02.2017 passed in Cr. Misc. No.9287 of 2017.

Heard learned A.P.P. and the learned counsel for the informant. It is submitted on behalf of the informant that the petitioner and others executed the sale-deed and earlier also, they had executed the sale deed with respect to some part of the land



and now they have again executed the sale deed of the land in collusion with the vendor but they have no right to execute the sale-deed of land as the land is in the name of Ram Janki Temple.

Having heard both sides, in view of the nature of the allegation and also considering the fact that the petitioner is in custody for more than four months, 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 C.J.M., Bhabhua (Kaimur) in connection with Bhabhua P.S.Case No.55 of 2014.

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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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