

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40979 of 2018

Arising Out of PS.Case No. -194 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Ganesh Mishra @ Ganesh Mian S/o Late Sugriv Mishra @ Sugriv Mian,
R/o Vill.- Kauwaha Tola Balaha, P.S.- Govindganj, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shambhunath Tiwari @ Chandrashekhnath Tiwari S/o Late Madhonath
Tiwari , R/o Vill.- Kowaha, P.S.- Govindganj, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-07-2018 The petitioner is apprehending his arrest in connection
with Tr. No.1750/17 arising out of complaint-cum-protest case
no.C194 of 2016 arising out of Govindganj P.S. Case No.41 of
2015, registered for offences punishable under Sections 417, 465,
467 and 384 of the Indian Penal Code.

Allegation as per complaint petition is that one Rama
Kant Tiwari and other co-accused sold the land of the complainant
to the other person and it is alleged that petitioner is one of the
conspirator.

It has been submitted on behalf of the petitioner that
petitioner is neither seller or purchaser and he has nothing to do



with the alleged land and has falsely been dragged in the present case. It is further submitted that the other co-accused persons have already granted anticipatory bail by the coordinate Bench of this Court vide order dated 23.04.2018 passed in Cr. Misc. No.8234 of 2018.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that petitioner has no criminal antecedent and only general and omnibus allegation has been levelled against him, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-cum-Sub-Divisional Judicial Magistrate, Areraj, District-East Champaran, in connection with Tr. No.1750/17 arising out of complaint-cum-protest case no.C194 of 2016 arising out of Govindganj P.S. Case No.41 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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