

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27734 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

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1. Rajeshwar Chaudhary @ Rajeshwar Prasad Chaudhary Son of Late Shiv Nandan Chaudhary resident of Mohalla - Urdu Bazar, P.S. - Laheriasarai, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Laheriasarai P. S. Case No. 18 of 2017, registered for offences punishable under Sections 406, 420, 467, 468, 471, 504 and 120 (B) of the Indian Penal Code.

Allegation against the petitioner is that after getting power of attorney in his name, the petitioner had executed two sale deeds in the same year, 2012 but later on it was found that the lands are under litigation.

Learned counsel for the petitioner submits that he has falsely been implicated in this case and the entire allegations leveled in the F.I.R. are concocted. Further more, the petitioner



has already filed a Complaint petition against the informant.

Heard learned A.P.P. and learned counsel for the informant on the ground that the petitioner has given the land which is under litigation and petitioner has sold land, which is under litigation.

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

Having heard both sides and in view of the facts and considering the nature of the case, which is civil in nature, let the petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 18 of 2017, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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