

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25078 of 2018

Arising Out of PS.Case No. -1016 Year- 2017 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Vinod Kumar, son of Late Mukund Prasad, Resident of Village-
Rajepur, P.S.- Govindganj, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ragunath Mahto, Son of Bhagwan Mahto, Resident of Village-
Bhopatpur Ahirouliya, P.S- Kotwa, Bagiya, O.P. District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Trial No.3144 of 2017 (arising out of Complaint Case No.1016 of
2017) , registered for offences punishable under Sections 323,
420, 467, 468 and 120B of the Indian Penal Code.

Allegation against the petitioner as per FIR is that land of
Khata No.301, Khesra No.1980 measuring 2 bigha, 1 katha and 6
dhur belongs to the Khatian of the complainant and the accused
persons approached for purchase of the same, which the
complainant refused and it is alleged that the petitioner in
collusion with the staff of the record room get manipulation in
Khatian by entering name of two brothers of the complainant.



Submission of the learned counsel for the petitioner is that the complainant had written application to the Collector and the Collector handed over it to for enquiry to the A.D.M. and the A.D.M. on enquiry found the hand of one Rambhu Mahto @ Rambhu Yadav and Ganesh Sah and not of the petitioner, who is Assistant in the Record Room and the other accused persons have been granted privilege of the anticipatory bail, vide order dated 26.4.2018 passed in Cr. Misc. no.23141 of 2018 and order dated 3.5.2018 passed in Cr. Misc. No.25352 of 2018 by Co-ordinate Bench of this Court.

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

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released 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 the learned A.C.J.M. VIII, East Champaran, Motihari in connection with Trial No.3144 of 2017 (arising out of Complaint No.1016 of 2017) subject to condition 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.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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