

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43429 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -SHYAMPUR BHATHA District-
SHEOHAR

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Suresh Singh S/o-Late Chintaharan Singh, resident of
Village- Gajipur, P.S. Shyampur, Bhatha, District-Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 29-10-2018 The petitioner seeks bail in anticipation of his arrest in connection with Shyampur Bhatha P.S. Case No. 23 of 2018, dated 04.04.2018, instituted for the offences punishable under Sections 420, 467, 468, 471 and 506/34 of the Indian Penal Code.

The sum and substance of the allegation in the F.I.R. is that the land of the informant has been purchased by the petitioner. Though, in the F.I.R., it has been alleged that the petitioner and others were pressurizing him for alienating his land in the village, but the informant never agreed for the same. Later, he was informed by his villagers that some



persons, desirous of buying the land, are visiting the house of the petitioner. Simultaneously, he also got an information that the land actually has been sold to the petitioner.

The learned counsel for the petitioner has, however, submitted that the vendor of the property made him understand that he owns the property and, therefore, he agreed to buy the aforesaid property in the village for a valuable consideration. The sale-deed records the name of the vendor as Vikash Kumar Verma. It has also been stated that since aforesaid Vikash Kumar Verma and the informant come from the same stock of family, there could be some dispute about ownership or possession of the land in question which has been vended to him. However, in any view of the matter, since he has purchased the land for a valuable consideration, he only has been cheated as the title over the land in question is still in cloud.

It has further been submitted that with respect to the allegation that the petitioner had managed the conveyance of the property by putting up the vendor before the Registry Office, has also not been substantiated by any evidence during the course of investigation.

Considering the aforesaid facts, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, in the event of



his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sheohar in connection with Shyampur Bhatha P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The petitioner shall, however, participate in the investigation and would not shy away from answering the queries of the Investigating Officer. Should he be found faltering on that score, it would be open for the informant to proceed further for cancellation his bail.

(Ashutosh Kumar, J)

Praveen-II/-

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