

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25352 of 2018

Arising Out of PS. Case No.-1016 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Rambhu Yadav @ Rambhu Mahto S/o Badri Mahto, R/o Panditpur, P.S.-
Kothi East Champaran, Presently posted as Peon, District- Record room
Collectorate Motihari, East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Raghu Nath Mahto S/o Bhagwan Mahto, R/o Vill.- Bhopatpur Ahirwalia,
P.S.- Kotwa (Bajhiya O.P.), District- East Champaran, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Shakil Ahmad Khan
For the Opposite Party/s :	Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner,
complainant and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. C-1016 of 2017 instituted for the offences under Sections 323, 420, 467, 468, 120-B of the Indian Penal Code.

The sum and substance of the accusation in the complaint petition is that the accused persons including the petitioner have conspired and have managed to get the original Khatiyani interpolated. The land in question stood in the name of the grandfather of the complainant/opposite party no. 2 which ultimately was interpolated and the names of the other persons were



inserted in the Khatian. In the complaint, the further allegation is that some of the named accused persons (not the petitioner) approached the complainant and impressed upon him to induct them as partners in selling the land in question, which would fetch higher price from the purchasers. The complainant is said to have refused such an offer. Only later, he could discern that there has been interpolation in the Khatian.

So far as the petitioner is concerned, at the relevant time, he was posted as Grade-IV peon in the District Record Room. There is nothing on record to specifically pin point the role played by the petitioner.

The petitioner is not the beneficiary of the interpolation and in the absence of any other material pointing towards the conspiracy of the petitioner, his implication stands only on the basis of suspicion.

Considering such facts, one of the other functionaries of the District Record Room has been granted the privilege of anticipatory bail by a bench of this Court on 26.04.2018 passed in Cr. Misc. No. 23141 of 2018.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date



of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-8, Motihari East Champaran in connection with Trial No. 3144 of 2017 arising out of Complaint Case No. C-1016 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Krishna/-
Ved/-

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