

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.76451 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

Bachcha Rai, Son of Dashrath Rai, resident of village Kashi Bazar, P.S. Bhagwan Bazar, District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Chapra Muffasil P.S. Case No. 209/2018 registered for the offences punishable under Sections 406, 420/34, 468 and 471 of the Indian Penal Code.

The petitioner is, admittedly, witness on the sale deed executed by Paras Nath Singh in favour of the informant. The informant claims that co-accused Paras Nath Singh transferred certain lands by executing a registered sale deed without having any right and title on the aforesaid lands. The aforesaid fact clearly goes to show that at the time of execution of above-stated sale deed, the informant was himself not aware about the title of the aforesaid Paras Nath Singh in respect of the transferred lands. The aforesaid Paras Nath Singh is resident of



village Sanhauta, P.S. Koya, District Saran and so far as the petitioner is concerned, he is resident of village Kashi Bazar, P.S. Bhagwan Bazar, District Saran.

Submission on behalf of the petitioner is that the petitioner stood as witness on the sale deed in question at the request of the informant and, as a matter of fact, he was not aware of this fact that Paras Nath Singh had no right and title in respect of the transferred land.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in Chapra Muffasil P.S. Case No. 209/2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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