

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27051 of 2018

Arising Out of PS.Case No. -65 Year- 2017 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Paras Kushwaha, son of Late Sharwan Kushwaha, resident of Village-
Manjharia, Tola- Ramnagar, P.S.- Piprasi, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Anil Kushwaha, S/o Harakh Kushwaha, resident of Village- Semra
Labeledaha, Tola- Situhiya, P.S.- Piprasi, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

Mr. Suresh Prasad Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-06-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner apprehends his arrest in **Complaint Case**
No.65 of 2017 instituted for the offence under Section(s) 323 and
420 Indian Penal Code.

Counsel for the petitioner has submitted that this
petitioner is merely witness on the sale deed. Xerox copy of the
sale deed has been produced during hearing of the bail petition,
which shows that petitioner is described only as a witness in the
aforesaid sale deed.

Allegation in the written report is that when the
informant went for mutation then he learnt that the land, in
question, is not in the name of the vendor Arbind Kumar



Tulsayan and mutation was not done.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Complaint Case No.65 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-II, Bagaha, West Chamapran**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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