

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6607 of 2019

Arising Out of PS. Case No.-259 Year-2016 Thana- SIKARPUR District- West Champaran

Dwijendra Chaubey @ Dipendra Chaubey, aged about 52 years, male, son of
Late Ramakant Chaubey, Resident of Village- Musaharawa, P.S.-Sathi,
District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Shikarpur P.S. Case No. **259 of 2016** registered for the offence punishable under Sections 447, 420, 467, 471 and 120B of the Indian Penal Code.

Informant has alleged that petitioner in collusion with each other committed forgery and wrongly got executed a sale deed in favour of co-accused Ramawati Devi of the land which belongs to the informant.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has further been submitted that allegation against the petitioner that he has executed forged sale deed in favour of Ramawati Devi is false rather the fact is that after death of his father, the petitioner



and other four brothers inherited the said land and they came in peaceful possession over the said land and after partition among his four brothers including the petitioner, petitioner got 6 kathas of land which was executed by the petitioner to the Ramawati Devi. Petitioner is in custody since 04.11.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Bettiah, District, West Champaran** in connection with **Shikarpur P.S. Case No. 259 of 2016**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the 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.

(S. Kumar, J)

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