

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11684 of 2019

Arising Out of PS. Case No.-708 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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TARUN KUMAR aged about 42 years Son of Late Sundar Lal @ Late Sundar Lal Srivastava Resident of village-Gosai Tola, Police Station-Nagar (Gopalganj), District-Gopalganj. At present residing at Arya Nagar, Ward No.21, Thawe Road, Gopalganj, Police Station-Gopalganj, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 420, 406, 409, 423, 424, 182, 187, 467, 468, 471, 477, 120B of the Indian Penal Code.

Allegation against the petitioner is of demanding bribe of Rs. 5000/- from one Harendra Ram for mutation of his land. Further allegation is of recovery of Rs. 41,500/-, documents,



deeds, Laptop and Mobile from his possession.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It is submitted on behalf of petitioner that documents recovered from the bag of the Laptop are general document connected with the land revenue with which the petitioner has got no connection and the money recovered from the possession of the petitioner was of land revenue. It has been further submitted that so far as recovery of deeds are concerned that belongs to the applicants for mutation and petitioner has nothing to do with it in his personal capacity. In order to discharge his duty of effecting a mutation and reporting on possession and other thing related thereto the deeds are required and those very deeds are recovered from the possession of petitioner and as far as mobile and SIM recovered from the possession of petitioner are concerned they are his personal mobile and SIM. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 24.01.2019 in Criminal Miscellaneous No. 3374 of 2019. Petitioner is in custody since 01.12.2018.

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 court below where the case is pending in connection with **Gopalganj Town P.S. Case No. 708 of 2018**, 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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