

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.76936 of 2018**

Arising Out of PS. Case No.-64 Year-2018 Thana- CHENARI District- Rohtas

Kaushal Kishor Khan S/o Late Satyadeo Khan, Resident of Village- Bargaon,  
P.S. Sonbarsha, District- Saharsa A/p Head Clerk, Consolidation Office,  
Chainpur, P.S. Chainpur, District Kaimur, Pin Code- 821103.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Parmeshwar Vishwakarma

For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      16-01-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of  
Chenari P.S. Case No. 64 of 2018, disclosing offences  
punishable under Sections 420, 466, 467, 468, 197, 207 and 120  
(B) of the Indian Penal Code.

Based on a complaint petition, the present first  
information report has been registered under Section 156(3) of  
the Criminal Procedure Code . It is alleged that co-accused nos.  
1 to 3, as mentioned in the complaint petition, obtained  
permission fraudulently from the Consolidation Officer for  
transfer of a piece of land whereas another application filed by  
the informant was already pending. The petitioner was working,



at the relevant point of time, in the office of the Consolidation Officer as Head Clerk. The beneficiaries of such permission granted by the Consolidation Officer, have been granted anticipatory bail by this Court by order dated 21.12.2018 passed in Criminal Misc. No. 75522 of 2018.

Learned counsel, appearing on behalf of the petitioner, has submitted that the complaint case has been maliciously filed and if the complainant/informant was at all aggrieved with the order of the Consolidation Officer of granting permission to transfer the land, in question, he/she had statutory remedy under the Act, which she did not avail.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sasaram, Rohtas in connection with Chenari P.S. Case No. 64 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall



present himself before the Police/Court, as the case may be, as  
and when required and in the event of failure on his part to  
appear before the Court on two consecutive occasions, his bail  
bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Ashish/-

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