

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32199 of 2019

Arising Out of PS. Case No.-1582 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. RAJENDRA SHUKLA @ RAJINDRA SHUKLA Son of kashi Nath Shukla @ Chandradeo Shukla, Resident of Village - Parsa Manguraha, P.S.-Lauriya, Dist.- West Champaran.
 2. Indrashan Ram Son of Butai Ram Resident of Village - Mathia, P.S.-Lauriya, Dist.- West Champaran.
 3. Bijay Kumar Ram @ Vijay Kumar @ Vijay Paswan Son of late Bhoj Ram @ Late Bhoj Paswan Resident of Village - Mathia, P.S.- Lauriya, Dist.- West Champaran.
 4. Janki Ram Son of Late Badar Ram Resident of Village - Mathia, P.S.-Lauriya, Dist.- West Champaran.
 5. Parma Sah Son of Late Ambika Sah Resident of Village - Mathia, P.S.-Lauriya, Dist.- West Champaran.
 6. Binod Ram Son of Jagarnath Ram Resident of Village - Mathia, P.S.-Lauriya, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shalil Kumar Srivastava Son of Late Ravindra Prasad Srivastava Resident of Mohalla-Supriya Cinema Road, Sneh Kunj P.S. Bettiah Muffasil, West West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-05-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail
in Complaint Case No. 1582-C of 2018 (Trial No. 1180 of 2018)
registered for the offences punishable under Sections 465, 467,
468, 471/34 and 120-B/34 of the Indian Penal Code.



It is alleged in the complaint petition that co-accused Laxman Ram executed two sale deeds in favour of petitioner nos. 2 and 5 in respect of the land, which, in fact, belongs to the complainant. In the sale deeds, the said Laxman Ram is said to have declared that *Jamabandi* stood in his name, whereas the *Jamabandi*, according to the complainant, runs in the name of the complainant's father. Petitioner nos. 4 and 6 are said to be the witnesses to the sale deeds, whereas petitioner no.3 is the identifier of the executant of the sale deeds. There is allegation against petitioner no.1 of having conspired in the said transactions.

Learned counsel for the petitioners has submitted that if what is alleged in the complaint petition is correct, petitioner nos. 2 and 5 can be said to be victim of the offence and not the offenders.

I find substance in the submissions made on behalf of the petitioners.

Considering the nature of allegation, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like



amount each, to the satisfaction of the learned 1st A.C.J.M Bettiah, West Champaran in connection with Complaint Case No. 1582-C of 2018 (Trial No. 1180 of 2018), subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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