

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36765 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- BUXAR District- Buxar

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SRI BHAGWAN SINGH Son of Late Kamta Singh, Resident of Village - Barka Lauhar, P.S.- Barhara, Distt.- Bhojpur, Arrah, at present - Bind Tola, Ward No. - 6, Mirganj Ara, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Shashi Shekhar Kishore

For the Opposite Party/s : Mr.Rajeev Nayan (APP 231)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-06-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Town (Buxar) P.S. Case No. 04/2019 registered for offence punishable under sections 420, 409, 120(B) of the Indian Penal Code.

The petitioner is a retired Circle Officer has been made an accused in the aforesaid case on the ground that the land in question is a Kaisare Hind, but wrongly the jamabandi has been created in the name of Church with the connivance of Halka Karmchari, thereby they have acted beyond their authority.

The learned counsel for the petitioner submits that



after the mutation case, a title suit vide Title Suit No.25 of 1997 was filed and thereafter, the judgment and decree was passed in Title Appeal No. 38 of 1998 and there is an order of this Court in Civil Revision No. 1558 of 2003 and Second Appeal No. 54 of 2001 and on the basis of outcome of Second Appeal No. 54 of 2001, the petitioner had directed for issuance of revenue receipt in favour of the Church. He has submitted that the action has been taken on the basis of judgment passed in civil suit which is binding on all and it is completely no wrong at all.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Town (Buxar) P.S. Case No. 04/2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial



and make himself available as and when required by the court.

(Shivaji Pandey, J)

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