

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4783 of 2019

Arising Out of PS. Case No.-202 Year-2018 Thana- CHAKIA District- East Champaran

Ram Mohan Singh S/o Late Ram Prasad Singh, Resident of village - Semra,
P.S. Chakiya, District- East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mrs. Rekha Prasad, Advocate
For the state	:	Mr. J.K. Singh, APP
For the Informant	:	Mr. Dhananjay Kumar No. 2, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 467, 468, 471 and 420 of the Indian Penal Code registered in connection with Chakiya P.S. Case No. 202 of 2018.

3. It is submitted that the petitioner has been falsely implicated and in any event, the dispute relating to the land in question at best is of civil nature. Sale deeds were executed as far back as in the year 2011 and prior to institution of the present FIR, the purchaser of the land Smt. Rani Devi, wife of the informant had admittedly constructed a boundary wall. Further she got her named mutated and jamabandi had been opened in her name and then she is paying rent to the State of Bihar which clearly shows that land was free from any encumbrance. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Chakiya P.S. Case No. 202 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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