

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83763 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- SAHARSA District- Saharsa

BABUAN SHARMA Son of Late Fanu Sharma Resident of Village- Patuahah,
Ward No.2, P.S.- Sadar, District- Saharsa.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Aslam Ansari. Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Saharsa Sadar P.S. Case No. 57 of 2019 registered for the offence punishable under Sections 406, 420, 467, 368, 384, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the land in question is khatiyani land of the petitioner. The allegation made by the informant is that the land was purchased by his father and he had earlier received lease rent on account of rent having been provided to M/s Gamon India Limited on lease is palpably false. It is alleged that the petitioner has wrongly executed the sale deed of the land in question in favour of various persons.

It is further submitted that it is a case of land dispute,



earlier in a proceeding under Section 145 Cr.P.C. possession of the informant was declared and on being challenged made to that order by this petitioner the same has been set-aside by the learned Sessions Judge, Saharsa in Cr. Revision No. 190 of 2018 vide order dated 06.05.2019. It is also pointed out that the co-accused Lakshman Sharma has been granted regular bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 82086 of 2019.

Learned APP has opposed the prayer of bail.

Considering the facts and circumstances of the case, considering the submission that it seems to be a case of land dispute between the parties and one of the co-accused has been granted privilege of regular bail by a learned co-ordinate Bench of this Court, let the petitioner above named be released on bail in connection with Saharsa Sadar P.S. Case No. 57 of 2019 on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

- (a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,
- (b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of
the commission of which he is suspected, and

(c) that such person shall not directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade him from
disclosing such facts to the Court or to any Police officer or
tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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