

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.220 of 2020

Arising Out of PS. Case No.-350 Year-2019 Thana- BAIRIYA District- West Champaran

Chandi Yadav Son of Late Yamuna Yadav Resident of Village -
Tadhvanandpur, P.S.- Bairia, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 341/323/385/406/504/506/34 of the I.P.C.

As per the FIR, the informant gave Rs. 3,00,000/- for purchasing 1 katha land bearing Khata No. 289, Khesra-2125 to the petitioner in presence of witnesses and ready to execute the said land in 3-4 days. After some period lapsed, when the petitioner was not ready to execute the said land. Then on 16.07.2018, Panchayti was held and after that the petitioner prepared a paper on Rs.100/- Stamp and served the photo copy to the informant and the petitioner ready execute the said land after 2-3 months. But the petitioner after lapse of 2-3 months was not ready to execute the said land. Then, the informant went



to the house of petitioner and put pressure to execute the said land and then the petitioner along with other also refused to execute the said land and also not ready to return the paid money. It has further been alleged that they were started abusing and assaulting to the informant and demanded ransom money of Rs. 1,00,000/- for making available original papers, which was prepared in Panchayati.

It has been submitted on behalf of the petitioner that the present case is false and fabricated and petitioner has falsely been implicated in this case. It has further been submitted that there is admitted land dispute between the parties. It has further been submitted that earlier a title suit bearing T.S. No. 57 of 2019 has been filed by the petitioner, which is pending in the court of learned Munsif, Bettiah, West Champaran. The present case is purely of civil nature.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Additional Chief Judicial Magistrate Ist, West Champaran, Bettiah in connection



with Bairia P.S. Case No. 350 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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