

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6535 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- PANAPUR District- Saran

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1. BACHCGA BHAGAT @ BACHCHA BHAGAT CHOURASIA Son of Late Hira Bhagat @ Late Hira Lal Chourasia Resident of Mohalla - Sujan Tola, P.S.- Chapra Muffasil, District - Saran at Chapra.
 2. Premchand Prasad Chourasia @ Prem Chand Chourasia @ Premchand Chourasia Son of Late Hira Bhagat @ Late Hira Lal Chourasia Resident of Mohalla - Sujan Tola, P.S.- Chapra Muffasil, District - Saran at Chapra.
 3. Ashok Bhagat Son of Late Hira Bhagat @ Late Hira Lal Chourasia Resident of Mohalla - Sujan Tola, P.S.- Chapra Muffasil, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-06-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in a case registered under Sections 323, 504, 506, 419, 420, 467, 468, 471, 379, 427 and 120-B of the Indian Penal Code.

Initially a complaint case was filed before the learned



Chief Judicial Magistrate, Saran at Chapra which was forwarded to the Police under Section 156(3) of the Cr.P.C. on the basis of which FIR was lodged.

Informant has alleged that he had purchased a piece of land bearing Khata No. 313, Survey No. 1492, area of 17 dhur 10 dhurki on 18.01.2006 from one Devanti Devi through registered sale deed and he is in possession of the same. When he started construction work over the said land, petitioners got initiated a proceeding under Section 144 Cr.P.c. twice which was dismissed. The said land in conspiracy was purchased by accused and when the informant came to know about the said forgery he asked them to cancel the said sale deed but they did not agree and on 22.12.2018 they came at the said land variously armed and on the orders of petitioner no. 1 the other petitioners started demolishing the wall of the informant and on protest they abused and assaulted him with fists and slaps and they took away other building materials.

It has been submitted on behalf of petitioners that petitioners are innocent and have been falsely implicated in this case. Petitioners have purchased the said land after paying full consideration amount and after proper verification from its rightful owner. It has been further submitted that other co-



accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court as contained in Annexure-4. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Panapur P.S. Case No. 18 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at



liberty to cancel their bail bonds.

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

(S. Kumar, J)

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