

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17676 of 2020

Arising Out of PS. Case No.-560 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Ravindra Kushwaha aged about 30 years (male) son of Late Akalu Mahto, resident of village-Devipur Koiri Tola, P.S. Dhanaha, Distt- West Champaran

... .. Petitioner

Versus

1. The State of Bihar

... .. Opposite Party

2. Ramdeo Kushwaha son of Late Ayodhya Kushwaha, resident of village- Chhitauni Balua Tola, P.S. Hanuman Ganj, Distt. Kushi Nagar (U.P.)

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-08-2020 Heard learned counsel for the petitioner and learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Complaint Case No. 560 of 2018 registered under sections 420, 406, 120B and 34 of the Indian Penal Code and wherein cognizance has been taken under section 420 of the Indian Penal Code.

As per allegation in the complaint, it is stated that the accused persons got the brother of the complainant, namely, Kashi Mahto to execute the sale deed with respect to the undivided property of the joint family in favour of Ravindra Kushwaha (not the petitioner) for a valuable consideration of Rs. 5.26 Lakh and also did not give the consideration amount to



the complainant's brother. The petitioner is stated to be one of the witnesses to the sale deed.

It is submitted by learned counsel for the petitioner that so far as the petitioner is concerned, even as per allegation in the complaint, he is only stated to be a witness. He is neither the purchaser of the property, although he carries the same name as the purchaser, nor is he expected to pay the consideration amount. It is further submitted that the petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegation as made in the complaint which primarily revolved around the sale of immovable property wherein the petitioner is neither the purchaser nor seller as also the fact that the petitioner has no criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Trial No. 3635 of 2019 (arising out of Complaint Case no. 560 of 2018), he shall 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 learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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