

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85772 of 2019

Arising Out of PS. Case No.-2819 Year-2018 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. RAM BHADUR CHAURASHIYA @ RAM BHADUR CHOURASIA, S/o Late Charan Bhagat @ Late Ram Chandra Bhagat Resident of Village- Jogapur Kothi, P.S.- Jamo Bazar, District- Siwan
 2. Raja Kumar Chaurasia @ Rajkumar Chourasia Son of Ram Bhadur Chaurashiya Resident of Village- Jogapur Kothi, P.S.- Jamo Bazar, District- Siwan
 3. Chandrika Singh Son of Baladev Singh Resident of Village- Jogapur Kothi, P.S.- Jamo Bazar, District- Siwan
 4. Sabita Devi W/o Sunil Ravat Resident of Village- Sikandarpur, P.S.- G.B. Nagar Tarwara, District- Siwan.
 5. Rinku Devi W/o Krishna Bansfore @ Krishna Dom Resident of Village- Sikandarpur, P.S.- G.B. Nagar, Tarwara, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 02-11-2020 Heard Mr. S. B. K. Magalam, learned counsel

for the petitioners and Mr. Jai Narain Thakur, learned



APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 2819 of 2018 dated 28.09.2018, in which cognizance has been taken under Sections 420, 468, 465 and 467 of the Indian Penal Code.

On 12.08.2020, the learned counsel for the petitioners was permitted to add the complainant as Opposite Party No. 2 and notice was issued to him. The petitioners were, in the meantime, granted provisional bail.

There is no appearance on behalf of Opposite Party No. 2, though notices have been duly filed.

From the reading of the complaint petition, it appears that the allegation against the petitioners is of trying to play fraud in creating a sale-deed regarding a plot of land measuring 4 kathas and 11 decimals.

From the reading of the complaint petition and the solemn affirmation of the witnesses, it appears that



the accusation is basically in the realm of suspicion that perhaps the sale-deed or the document in question, which has surreptitiously been created, could be misused.

No offence, it has been argued, as alleged in the complaint petition or on which cognizance has been taken can at all be said to be made out.

Considering the nature of accusation against the petitioners, this Court is inclined to grant anticipatory bail to them.

The petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Complaint Case No. 2819 of 2018 (Trial No. 1322 of



2019), subject to the conditions as laid down under
Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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