

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10593 of 2020

Arising Out of PS. Case No.-195 Year-2016 Thana- BODHGAYA District- Gaya

Sanjay Singh, S/o Late Chhatarpati Singh, R/o Mohalla- Surajpura, P.S.-
Bodh Gaya, District- Gaya. Presently R/o Mohalla- Alawalpur, P.S.- Fatuha
(Gaurichak), Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

10 15-11-2021 This is an application for regular bail in Crime No.

195 of 2016 registered with Bodhgaya (Sadar) Police Station for
the offences punishable under Sections 406 and 420 reach with
34 of the Indian Penal Code. The subject FIR was lodged by the
informant Parwati Devi.

Heard the learned counsel appearing for the
applicant/accused. He argued that the sale deed was executed by
the applicant/accused and his brother Ramjiwan Singh @
Ramjeevan Singh in favour of the first informant on 13.01.2015
and physical possession of the land was also delivered to the
first informant. Subsequently, when the first informant was
erecting the boundary wall to the said land, the co-sharers raised
the dispute and that is how the FIR came to be lodged. It is



argued that now the investigation is over and further pretrial detention is not warranted.

As against this, the learned counsel for the first informant drew my attention to the last order passed by this Court and submitted that the applicant/accused should refund the money by selling out his property.

The learned Additional Public Prosecutor opposed the application by contending that the applicant/accused has grabbed the amount from the first informant.

I have considered the submissions so advanced and perused the materials placed on record including the order dated 21.05.2019 passed by a coordinate Bench of this Court in Criminal Misc. No. 7147 of 2019, whereby co-accused, Ramjiwan Singh @ Ramjeevan Singh, against whom similar allegations are made, came to be released on bail during the pendency of the trial.

As the investigation of the crime in question is already over and the co-accused with similar accusation, is already released on bail by a coordinate Bench of this Court, I am of the considered opinion that liberty of the applicant/accused needs to be restored to him till disposal of the trial and therefore, the order :-



i. The application is allowed.

ii. The applicant/accused in Crime No. 195 of 2016 registered with Bodhgaya (Sadar) Police Station for the offence punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial in expeditious disposal of the trial against him.

(A. M. Badar, J)

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