

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25471 of 2021

Arising Out of PS. Case No.-1519 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

=====

Arvind Kumar Jaiswal @ Arvind Kumar Nirala Son Of Late Bhuvneshwar
Prasad Jaiswal R/O Village- Birouli Bazar, P.S.- Rupouli, Dist.- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Kumar Rajdeep, Adv.
For the State/s	:	Mr. A.G, APP
For the O.P. No.2	:	Mr. Vikram Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

17 28-11-2022 Let the defect(s) , if any, be removed within two
weeks from today.

Heard learned senior counsel for the petitioner,
learned A.P.P. for the State and learned counsel for the
informant.

The petitioner seeks regular bail in connection with
Complaint Case No. 1519(c) of 2019 lodged under Sections
467, 468, 471 of the I.P.C.

Learned senior counsel for the petitioner submits that
vide order dated 24.09.2021, provisional bail was granted to the
petitioner and vide order dated 09.05.2022 and 23.08.2022, the
said provisional bail was continued further. In this case, this
Hon'ble Court has demanded action taken report from the

Government through Department of Revenue and Land Reforms, Bihar(Patna). The said report has been received and filed through affidavit on behalf of Addl. Chief Secretariat Revenue and Land Reforms Department, Bihar(Patna). Learned counsel further submits that after grant of provisional bail, he has never misused and assures to this Court that he shall appear and fulfill all the conditions whatsoever shall be imposed upon him.

Learned senior counsel further submits that the co-accused of this case has been granted anticipatory bail vide order dated 23.03.2022 passed in Cr. Misc. No.44523 of 2021 and in this background, his provisional bail may be confirmed.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the Informant vehemently opposes the prayer for confirmation of bail and submits that prima facie materials have been found in this case against the petitioner and therefore, provision laid down under Section 452 of Cr.P.C. may be exhausted and direction may be given so that the possession of the said land may be handed over to the complainant and till delivery of possession, bail may not be granted to the petitioner. From the provision laid down under

Section 452 of Cr.P.C., it transpires that the stage for applicability of the said provision has not applicable at present.

Learned counsel for the informant is at liberty to exhaust the same at appropriate stage in the proceedings of this case.

In the present facts and circumstances of this case, the provisional bail granted dated 24.09.2021 is hereby confirmed.

With this observation, the provisional bail is hereby disposed off.

(Dr. Anshuman, J.)

prakashmani/-

U		T	
---	--	---	--