

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62277 of 2021

Arising Out of PS. Case No.-384 Year-2020 Thana- PAHARPUR District- East Champaran

1. Jokhu Raut Son Of Late Bhikhari Raut Resident Of Village - Sataha Manguraha, P.S.- Paharpur, Distt.- East Champaran
2. Vijay Yadav Son Of Sri Bikrama Yadav Resident Of Village - Sataha Manguraha, P.S.- Paharpur, Distt.- East Champaran
3. Bhuli Ram @ Bholi Ram Son Of Sri Ramjeet Ram Resident Of Village - Sataha Manguraha, P.S.- Paharpur, Distt.- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma- Advocate Ms. Rashmi Jha- Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar- A.P.P. Mr. Dipak Kumar Singh- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioners, learned APP for the State and Mr. Dipak Kumar Singh, learned counsel, who appears on behalf of learned counsel Mr. Sharda Nand Mishra.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner nos.2 and 3 are persons with clean antecedent and petitioner no.1 has antecedent of two cases and the informant alleges that he received a notice from the circle office asking him to explain as to how the land as detailed in the F.I.R.



belonged to them. It is next alleged that the informant reached the circle office and examined the document and he came to know that the land in question does not belong to him nor to his ancestors, but in the documents, the name of his dead father and uncle along with the petitioners were found recorded, as such, the informant instituted the present F.I.R. alleging that it appears that the petitioners in connivance have manipulated the documents fraudulently in their name.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the land in question as detailed in the F.I.R. does not belong to them. It is further submitted that neither the petitioners, nor the informant are related in any manner, as such, there is absolutely no occasion for the petitioners to manipulate and fraudulently create a document in which the name of the ancestors of the petitioners would have been included. It is next submitted that if the petitioners intended to create a document fraudulently with respect to the land in their favour, then definitely they would not have included the name of the father and uncle of the informant. It is thus submitted that it appears that the said occurrence has been committed by someone else and the informant in utter case



instituted the present F.I.R. It is submitted at the cost of repetition that the land does not belong to the petitioners even.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Paharpur P. S. Case No.384 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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