

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62987 of 2021

Arising Out of PS. Case No.-824 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Bal Krishna Prasad S/O Late Raghuwar Ram Sahu R/o Ganj No. 02, Ward
No. 19, Ghasia Patti, Ramlila Maidan, P.S.- Bettiah Town, Bettiah, District-
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar S/o Nandlal Prasad R/o village- Malkawali, Pathkhawali, P.S.-
Bagaha, (O.P.- Pathakhawali), District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhitabh Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner seeks anticipatory bail in connection
with complaint case 824 of 2019, registered for the offences
under Sections 323, 420, 406/34 of the Indian Penal Code.

The main submissions advanced by learned counsel
for the petitioner are the petitioner is stated to be a witness of
the alleged will and after the execution of the said will the
probate has been granted by district Judge, West Champaran
vide judgement dated 13.12.2018 in probate case no. 10 of 2016
and testatrix, mosmat Reshma Devi rightly executed said will in
favour of co-accused Abhimanu Kumar who has relationship as
grand son of the testatrix and he has been granted anticipatory



bail vide order passed in Cr. Misc. No. 39910 of 2021. Further submission is that the main dispute involved in this case is of civil nature.

Learned APP has opposed the prayer of bail.

Having considered the above submissions and mainly the fact that co-accused namely Abhimanyu Kumar and Shyam Narayan prasad are enjoying privilege of anticipatory bail granted by this Court as referred above and petitioner is stated to be a witness of the execution of the alleged will, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with complaint Case No. 824 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shailendra Singh, J)

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