

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68993 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- BANMANKHI District- Purnia

Bipin Paswan, Son of Yogendra Paswan, Resident of Village- Jeevachpur
Kuwari, Police Station- Banmankhi, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Banmankhi P.S. Case No. 88 of 2021 registered for the alleged offences under Sections 420, 467, 466, 468 and 34 of the Indian Penal Code.

As per prosecution case, the co-accused produced forged papers for mutation of homestead land in favour of one Hakali Devi before the Circle Officer of Banmankhi Circle for digitization. On inquiry, it came to the knowledge that the petitioner took Rs. 10,000/- from Hakali Devi for giving her



papers of homestead land of six decimals. The informant has alleged that the petitioner and other co-accused persons have been running an organized gang and duping innocent people of their money.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The forged papers were produced by co-accused Manoj Kumar and not by this petitioner. The name of the petitioner came up in the disclosure made by Hakali Devi who got six decimals of land through Basgit Parcha bearing Khata No. 345, Plot No. 453 and 456 and the said Parcha has been given to her in the year 2018. For this reason, the demand of money by the petitioner for providing Basgit Parcha does not arise. The petitioner is in custody since 28.07.2021 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner and others were involved in preparation of forged papers.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering his



period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Purnia, in connection with Banmankhi P.S. Case No. 88 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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