

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69939 of 2021**

Arising Out of PS. Case No.-219 Year-2019 Thana- GHORASAHAN District- East
Champaran

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RAVINDRA THAKUR Son of Late Bedami Thakur Resident of Village-
Vishunpur, P.S.- Ghorasahan (O.P.- Jharokhar), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh, APP
For the Informant	:	Mr.Shyameshwar Kumar Singh, Adv

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 17-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 323, 327, 341, 379, 384,387,
406, 420, 467, 468, 471, 34 of the Indian Penal Code.

As per the prosecution case, the informant purchased
a piece of land from the petitioner on 26.08.2015 through
registered sale deed and he came in possession over the said
land. It is further alleged that after three years mother of
Ravindra Thakur sold the same piece of land in favour of co-



accused-Chandu Paswan without any title after preparing forged sale deed without payment of any consideration amount. On 10.12.2019 when the informant went to construct his house over the said land, co-accused-Chandu Paswan along with other accused persons, variously armed, assaulted the informant and his labourers by fists and slaps and demanded Rs. One lakh as ransom. It is further alleged that co-accused-Chandu Paswan pointed pistol on the chest of informant and co-accused, Naresh Kumar snatched gold chain worth Rs.35,000/- from his neck.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner has not committed any offence. He further submits that it appears from the FIR (complaint petition) that there is no allegation against the petitioner of cheating the informant/complainant. He further submits that it appears from the FIR (complaint petition) that the matter relates to civil dispute and it appears from the FIR itself that no criminal offence is made out against the petitioner. In fact the petitioner has sold out the land in question to the complainant long back in the year 2015 itself and thereafter the complainant enjoyed over the said land. Petitioner is in custody since 19.07.2021.



Learned counsel for the informant, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has executed another sale deed with respect to the land in question to Chandu Paswan and Sunil Kumar respectively.

Considering the aforesaid facts, it appears that the allegation against the petitioner is civil in nature and the informant/complainant may avail the remedy before the competent court of law.

Considering the aforesaid facts, let the petitioner, above named, 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 learned Court below where the case is pending in connection with Ghorasahan (Jharokhar) P.S. case No. 219 of 2019, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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