

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69679 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- GURARU District- Gaya

Sanjay Sharma @ Vijay Sharma, S/o Sri Baleshwar Sharma, Resident of
Village- Bagdiha, P.S.- Guraru, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 24-02-2022 The applicant is given out of turn hearing on account
of marriage ceremony of his daughter.

The applicant is an accused in Crime No. 41 of 2021 registered with Guraru Police Station for the offences punishable under Sections 406, 420, 467 and 468 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

The learned Additional Public Prosecutor opposed the application by contending that the applicant along with his family members had cheated the first informant apart from committing breach of his trust as well as forgery of documents.

I have considered the submissions so advanced and also perused the material placed before me.



Tilleshwar Yadav is the first informant. He reported that the applicant, his father and wife of the applicant as well as another accused conspired and entered into an agreement to sell 1/2 Katha of land to him for a consideration amount of Rs.9 lacs. It is further averred that the first informant had constructed the house on the said land and subsequently some dispute erupted which was ultimately settled. However the applicant and his family members are not executing the sale deed in respect of land which was agreed to be sold.

Prima facie the dispute appears to be civil in nature. It is reported that the investigation of the subject crime is over and the charge sheet has already been filed. Applicant is not having any criminal antecedent and therefore I see no reason to refuse bail to the applicant. Hence, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 41 of 2021 registered with Guraru Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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