

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20982 of 2023

Arising Out of PS. Case No.-1033 Year-2022 Thana- TURKAULIYA District- East
Champaran

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BHOLA RAI S/O LATE KANHAI RAI Resident of Village- Jaishinpur,
Shardo Tola, P.S.- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Rajesh Kumar, Adv.
For the Opposite Party/s :	Mr.Umanath Mishra, APP.
	Mr. Manoj Kumar Singh, Adv.
	Mr. Md. Qaisar Reza, Adv.
	Mr. Aftab Alam, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 354(B), 379, 406, 504, 506 of the Indian Penal Code.

The prosecution case, in brief, is that on 20.10.2022 petitioner along with other co-accused came at the door of the informant and demanded original jarpesagi paper which was prepared by petitioner in name of the informant. When the informant gave it to the petitioner, the petitioner kept it in his pocket and told him that jarpesagi was ended from today. He also told him that his Rs. 90,000/- regarding jarpesagi was also finished. On protest, the accused persons abused and assaulted



the informant and his family members brutally.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to old grudge, previous enmity and dirty village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Petitioner is ready to return Rs. 50,000/- to the informant within one month.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as petitioner is ready to return Rs. 50,000/- to the informant, let the above named petitioner, be released on **provisional bail** for a period of two months, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the



case is pending/successor Court in connection with Turkauliya
P.S. Case No. 1033 of 2022, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by
the learned Court below after verifying the fact that petitioner
has returned Rs. 50,000/- to the informant within one month of
the present order.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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