

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20732 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- SATHI District- West Champaran

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BHUVAN RAM S/O LATE GANESH RAM Resident of Village- Dhobani
Panda Toli, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abu Nasar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State along with learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 379, 385, 504, 506 read with Sections 120B and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases but inadvertently, at Para 3, only two cases have been pleaded. It is next submitted that the informant alleges that he got his chair in an ancestral property in pursuance of a partition suit, but the accused persons including the petitioner are trying to usurp his property by creating forged and fabricated documents and even looted his crop and on objection demanded extortion of Rs. 20 lacs.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that the only allegation against this petitioner is of witnessing a deed. Learned counsel next submits that the petitioner was completely unaware that the land belong to the informant.

Learned A.P.P. for the State along with the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner and submits that it is rampant in the district of West Champaran that persons who are not staying their lands are being usurped in the manner as alleged in the FIR, it is next submitted that a gang is operating and petitioner is also a member of the gang.

Learned counsel for the petitioner, at this stage, submits that the petitioner will not abscond, rather, will cooperate in the investigation and will present himself as and when required by the Investigating Officer for eliciting the truth.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sathi (West Champaran) P.S. Case No. 97 of 2022 subject to the conditions



as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear, that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not making himself available as and when called, the learned Trial Court shall pass orders in accordance with law and shall also have the liberty to cancel his bail bonds of the petitioner.

Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

In the event, if charge sheet is submitted against the petitioner after investigation, then in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

HarshPandey/-

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