

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41238 of 2023**

Arising Out of PS. Case No.-167 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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BALWANT PASWAN Son of Late Ramayan Paswan Resident of village -
Nandgaon, P.S. - Chainpur, Distt. - Kaimur at Bhabhua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phula Devi Wife of Ram Gahan Yadav Resident of village - Nandgaon, P.S. -
Chainpur, Distt. - Kaimur at Bhabhua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Complaint Case No. 167 of

2021 dated 18.2.2021 registered for the offence punishable u/s

406, 420, 467, 468, 471/34 of the Indian Penal Code but

cognizance has been taken only under Section 420 of the IPC.

As per the prosecution case, five accused persons took

the informant to Bhabua on the pretext of her preparing pension



papers and took her signature on several papers. Later, the informant found that the accused persons got transferred her land measuring 2.50 decimal in their name. The allegation against the petitioner is that he was the witness of the sale deed.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with both the parties and he was only the witness of the sale deed. The petitioner is accused in one more criminal case in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 23.5.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua in connection with Complaint Case No. 167 of 2021.



The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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