

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50974 of 2022

Arising Out of PS. Case No.-245 Year-2022 Thana- CHAKIA District- East Champaran

NAWAL KISHOR THAKUR Son of Late Chandrika Thakur R/V- Ahiman
Chapra, P.S- Kalyanpur in the dist of East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 19-01-2023 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Chakiya P.S. Case No. 245 of 2022, registered for the offences
punishable under Sections 420, 406, 327, 504, 506, 120 (B) of the
Indian Penal Code.

As per allegation, an agreement to sale was entered
between co-accused Ritesh Kumar, son of the petitioner and the
informant. The informant paid consideration money in installments
but the accused persons refused to execute sale deed. The petitioner
along with other accused persons misbehaved with the informant and
also assaulted him.



Learned counsel for the petitioner has submitted that the petitioner is innocent. He is not party to the agreement rather the agreement was between the informant and son of the petitioner. He has falsely been implicated merely because he is father of accused Ritesh Kumar, against whom there is allegation of refraining from executing the sale deed after receiving the money.

On the other hand, learned Addl.P.P. has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, East Champaran, Motihari in connection with Chakiya P.S. Case No. 245 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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