

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72722 of 2023

Arising Out of PS. Case No.-86 Year-2014 Thana- BANKA District- Banka

Chandra Kishore Jha Son Of Later Basudev Jha Resident Of Village- Vijay
Nagar, Ps- And Dist- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Banka P.S. Case No. 86 of 2014 dated 22.03.2014, instituted for the offence punishable under Sections 420, 466, 467, 468, 471, 474, 323, 504/34 of the Indian Penal Code.

3. The informant has alleged that after disappearing the case record of Mutation Case No. 4822/2013-14, a false and fabricated record has been prepared with the help of Karamchari posted in the Circle office and on 20.11.2023, mutation of the complainant was shown as rejected.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has filed a title



suit bearing Title Suit No. 07 of 2016 to declare right title and possession upon the land in question, which is still pending. It is next submitted that similarly situated co-accused namely, Abadh Kishore Ambastha @ Awadh Kishore Ambast has been granted bail vide order dated 19.04.2019 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 25292 of 2019. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Banka P.S. Case No. 86 of 2014, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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