

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35557 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- CHAKIA District- East Champaran

GAJA SAH @ GAJENDRA SAH SON OF JAGDISH SAH RESIDENT OF
VILLAGE - BARMADIYA, P.S. - CHAKIA, DISTRICT - EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh
For the Opposite Party/s	:	Mr. Kalyan Shankar
For the Informant	:	Mr. Abhishek Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 20-09-2024
1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
 2. The petitioner seeks bail in a case registered for the offences punishable under Sections 384, 387, 420, 467, 468, 471 and 120-B of the Indian Penal Code.
 3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases, but then he was acquitted in one case, as such, as of date petitioner has antecedent of two cases. It is next submitted that petitioner, being purchaser of the land, has been implicated in the instant case by the informant when petitioner had purchased the land in question from Suresh Sah and Bali Sah, who are heirs of the



Khatiyani Raiyat. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant admits that sellers are heirs of *Khatiyani Raiyat*. It is also submitted that the informant has also instituted Title Suit No. 810 of 2023 which is pending adjudication in the Court of learned Sub-Judge-VIII, Motihari in which petitioner has received notice. It is next submitted that if petitioner is granted the privilege of regular bail in that event he will appear in Title Suit No. 810 of 2023. It is also submitted that in the event if the informant loses the title suit whether it would be prudent for this Court to keep the petitioner in jail. It is next submitted that petitioner earlier was granted the privilege of provisional bail for 20 days and the Court had directed to surrender on or before 10.06.2024. It is next submitted that inadvertently in the order dated 17.05.2024 by which provisional bail was granted to the petitioner it has been recorded that petitioner will surrender before the learned Trial Court on or before 10.06.2025. It is also submitted that petitioner surrendered within time which also reflects his *bona fide*.

4. Learned A.P.P. for the State along with learned counsel appearing on behalf of the informant opposes the prayer for regular bail of the petitioner.



5. Considering the submission made by the learned counsel appearing on behalf of the petitioner, let the petitioner above named be released on bail on furnishing bail bond 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 Chakia P.S. Case No. 136 of 2023.

6. Accordingly, the instant regular bail application stands allowed.

(Satyavrat Verma, J)

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