

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44369 of 2024

Arising Out of PS. Case No.-460 Year-2023 Thana- CHAKIA District- East Champaran

Suresh Singh S/O Late Ramswaroop Thakur R/O Village-Shekhi Chakia, P.S.-
Chakia, Distt-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard Mr. Sangeet Deokuliar, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner seeks regular bail, who is in custody
in connection with Chakia P.S. Case No. 460 of 2023, registered
for the offence punishable under Sections 419, 420, 406, 467,
468, 504, 506 and 120(B) of the Indian Penal Code.

3. Based upon the written report, the prosecution
alleges that the informant has purchased some land through
registered sale deed, however, when the paper was submitted for
mutation, it has been informed that the land belongs to PWD. It
is further alleged that when the informant approached to the
seller and demanded his money back, assurance was given but
later on denied to return the money and also abused and



threatened. The petitioner is said to be the identifier of the deed.

4. Learned Advocate appearing on behalf of the petitioner submits that from the narrations made in the FIR, it is evident that the petitioner is neither owner of the land nor there is allegation that he has ever approached to the informant or others for the sell/purchase of the land. It is also evident that no money, whatsoever, has been passed to the petitioner. Save and except the allegation that the petitioner is identifier in the deed, there is no material suggesting any complicity of the petitioner in the present crime that he has anyhow conspired with the vendor to sell the land, in question. It is lastly contended that in fact prior to the crime, in question, the petitioner has absolutely clean antecedent, however, on account of the sell and purchase of the land of the similar plot, three FIR besides the present one have been instituted against him.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the complicity of the petitioner cannot be denied as he has made identifier in all the deeds, resulting into lodging of the FIR against him.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner



was one of the identifier of the sale deed and there is no money transaction between the petitioner with anyone, coupled with the fact that the investigation of the crime is already completed and the petitioner is in custody since 13.03.2024, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihar, East Champaran in connection with Chakia P.S. Case No. 460 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found



that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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