

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44194 of 2024

Arising Out of PS. Case No.-582 Year-2023 Thana- HARSIDHI District- East Champaran

1. Sachidanand Tiwari @ Chuman Tiwari, Gender- Male, aged about 65 years, son of late Janak Tiwari, resident of Village- Rampurwa, P.S.- Govindganj, Distt.- East Champaran,
 2. Uday Upadhyay, Gender- Male, aged about 55 years, son of late Ramadhar Upadhyay, resident of village- Sirni Nara, P.S.- Malahi, Distt.- East Champaran
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Harsidhi PS Case No.582 of 2023 dated 01.10.2023, instituted
under Sections 468, 420, 406/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they in
connivance with other accused persons got the gift deed
executed in respect of the lands of the uncle of the informant

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in
this case. Petitioner no. 1 is said to be the witness of the gift
deed dated 30.07.1992 and the petitioner no.2 is said to be the



identifier of the said gift deed. The petitioners are not the executant of the said gift deed. It is also submitted that the petitioner no.2 is not named in the FIR. During course of investigation, petitioner no. 2 has been made accused in this case. Lastly, it is submitted that the petitioner no.1 has one criminal antecedent and petitioner no.2 has clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in Harsidhi PS Case No.582 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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