

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85770 of 2023

Arising Out of PS. Case No.-2889 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Surendra Rai Son of Late Bishun Rai @ Vishun Rai Resident of village -
Bankat Tola, Bhithan, P.S.- Muffasil, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Gupta Wife of Vinay Kumar Gupta Resident of village - Chhota
Bariyarpur, Hawaii Adda Chowk, Near Home Guard Field, P.S.- Chhatouni,
District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420, 465, 471, 468,
506, 120B/34 of the Indian Penal Code.

3. Allegation against the petitioner is of executing a
Gairmajarua Aam land in favour of the complainant after
realizing the consideration amount of Rs. 16,50,000/- by
hatching a conspiracy with other accused persons.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that on account of inadvertence, some different plot numbers have been mentioned at the time of registration of deed. However, subsequently original land has been executed in favour of the complainant, and then both the parties entered into compromise, and a compromise petition under the signatures of both the parties was filed, which is annexed as annexure-2. It is a case of civil in nature. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 06.12.2023 passed in Cr. Misc. No. 60958 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 23.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned J.M., 1st Class, East Champaran,
Motihari in connection with Complaint Case P.S. Case No. 2889
of 2022.

(Sunil Kumar Panwar, J)

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