

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29874 of 2025

Arising Out of PS. Case No.-382 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Chitranjan Rai S/O Late Bhuneshwar Rai R/O Village- Posua, P.S- Riga,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajnarayan Rai S/O Late Nandlal Rai R/O Village- Posua, P.S- Riga, Distt.-
Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with C1-
382/2017 dated 20.03.2017, Trial No. 3063 of 2024 instituted
for the offence punishable under Sections 147, 323, 341, 379,
406, 420, 504, 506, 120(B)/34 of the Indian Penal Code but
cognizance has been taken under Sections 323, 341, 379, 406,
506 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
took earnest money of Rs. 50,000/- from the complainant for
sale one decimal of land of Plot No. 1108. The complainant
again paid outstanding money Rs. 25,000/- to the petitioner but



the petitioner evaded and refused to registered the land in the name of the complainant. It is alleged that the petitioner and other accused persons abused and assaulted the complainant with fists and slaps.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that earlier the anticipatory bail was granted to the petitioner by the court below itself on 14.07.2017 but due to non-appearance in the court below, his bail bond was cancelled on 10.10.2017. Again the bail was granted to the petitioner by the court below on 11.12.2017 and due to non-appearance, the bail bond was again cancelled on 17.02.2023. Again, the bail was granted to the petitioner on 31.03.2023 by the court below, but once again the bail bond was cancelled on 29.08.2024 due to his non-appearance. Learned counsel for the petitioner further submits that the petitioner is working as labour. After getting privilege for bail, the petitioner went to Nagaland to earn his livelihood as a daily wages labourer. It is further submitted that the advocate left pairvi in the court below in his case and also he did not inform the petitioner properly regarding the development in the court, as such, the bail bond of the petitioner was cancelled.



Learned counsel for the petitioner also submits that charge has already been framed by the court below on 13.03.2024. Lastly, it has been submitted that the petitioner is in custody since 18.03.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State 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, let the petitioner be released on 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 S.D.J.M., Sadar, Sitamarhi in connection with C1-382/2017, Trial No. 3063 of 2024, subject to the condition that:-

Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled automatically.

(Khatim Reza, J)

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