

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66953 of 2025

Arising Out of PS. Case No.-1635 Year-2013 Thana- COMPLAINT CASE - RAXAUL AT
MOTIHARI District- East Champaran

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Ramashankar Singh Son of Late Kapildeo Singh, Resident of village -
Laxmipur, PS- Sugauli, Dist- East Champaran at Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-09-2025 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sessions Trial No. 545 of 2024, arising out of Complaint Case No. C-1635 of 2013, dated 09.07.2013, in which cognizance has been taken under Sections 467, 468 and 420 of the Indian Penal Code on 04.09.2014.

3. The prosecution case, in brief, is that the accused persons sold the land appertaining to Khata No. 510, Khesra No. 3174, Area 2 katha and 15 dhurs after payment of consideration amount of Rs. 57,000/- through registered sale deed no. 6509 to the complainant. After the death of complainant's father, the accused Mewalal Sah under a conspiracy and in connivance



with other co-accused persons sold 1 katha of land through registered sale deed no. 14898 dated 22.08.2012 in favour of his wife, Savita Devi. The complainant tried to settle the dispute through panchayti, but the accused persons did not take part in the said panchayti and when the complainant requested them to cancel the said registered sale deed, the accused persons did not cancel the same.

4. At the outset, the counsel for the petitioner fairly submits that this is the second anticipatory bail application which has been filed by this petitioner in the changed circumstances where the parties are said to have compromised and a compromise petition is said to have been filed before the Additional Chief Judicial Magistrate, Motihari, East Champaran (Annexure-2). From the contents of the compromise petition it is apparent that parties have agreed to compromise the matter and accordingly, a specific compromise petition is said to have been filed before the concerned Court which is pending for consideration.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner's role is



only attributed to the extent that he was only a witness to the transaction in question for which the complaint case is filed and further considering the fact that parties have agreed to compromise the matter, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Motihari, East Champaran, in connection with **Complaint Case No. C-1635 of 2013**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S., as well as on the following conditions:

(i) one of the bailors should be the family member / relative of the petitioner(s), who shall provide official document to show his / her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the learned trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his / her / their bail bond by the learned trial Court itself;



(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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