

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20742 of 2015

Arising Out of PS.Case No. -2093 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Madan Gopal Sharma, Son of Ram Sakal Sharma.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Madan Mohan Sharma, Son of Late Ramjatan Sharma.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh
For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 417, 420 and 468/34 of the Indian Penal Code.

It is alleged that the petitioner mortgaged the share of land of the complainant for purchase of tractor.

It is submitted by learned counsel for the petitioner that there has been no partition between the petitioner and the complainant who is the agnate of the petitioner. The mortgage was made in the year 2008 when the complaint was filed in the year 2013 to save the skin from two cases which were filed by the petitioner's side against the complainant.

It is submitted by learned counsel for the complainant that the alleged land is recorded in the name of the father of the complainant and the said land was acquired by virtue of deed of exchange. The petitioner fraudulently mortgaged the land of the complainant.

Considering the accusation in the background of share dispute between the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Saran at Chapra in connection with Complaint Case No. 2093 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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