

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46872 of 2015

Arising Out of PS.Case No. -358 Year- 2015 Thana -SAHARSA District- SAHARSA

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Md. Wasiur Rahman @ Jamiur Rahman son of Late Shafiur Rahman,
resident of ward No. 10 Madhepura, P.S. & District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.48157 of 2015

Arising Out of PS.Case No. -358 Year- 2015 Thana -SAHARSA District- SAHARSA

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Bhubneshwar Mandal S/o Sri Bhola Prasad Mandal, R/o Village- Batraha,
Ward No. 77, P.S. + District- Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 10-11-2015 Heard learned counsels for the petitioners of both the cases and learned Additional P.P. for the State along with learned counsel for the informant.

The petitioners pray for anticipatory bail in a case under Sections 420, 466, 467, 468 , 471, 474 and 120B of the Indian Penal Code.

It is submitted by learned counsel for the petitioner Md.Wasiur Rahman @ Jamiur Rahman that the entire case has been filed on false allegation and, as a matter of fact, the Jamabandi exists in the name of the ancestor of the petitioner, namely, Abdur Rahman. It is further submitted that out of 14 accused as many as 11, who are also similarly situated, have been granted anticipatory bail by this Court by order dated 16.10.2015

in Cr.Misc.No. 48587 of 2015. It is further submitted that another accused person has been granted bail at the level of the Sessions Judge and for this no details have been produced by the petitioner.

Learned counsel for the petitioner Bhubneshwar Mandal further submits that the matter in question was examined at the level of the department and in his report the DCLR, Sadar, Saharsa has clearly stated that in the Jamabandi Register II no page has been found to have been separately added, which is the main allegation in the present matter that the Jamabandi Register II having been manipulated by the petitioner.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners, namely, (1) Md. Wasiur Rahman @ Jamiur Rahman and (2) Bhubneshwar Mandal, in the event of their arrest/surrender in the court below within a period of four weeks from today shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each in connection with Saharsa Sadar P.S.Case No. 358 of 2015 to the satisfaction of Shri R. Chaubey, Judicial Magistrate, 1st Class, Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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