

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50291 of 2015

Arising Out of PS.Case No. -16 Year- 2008 Thana -SONO District- JAMUI

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Aseshwar Yadav, S/o Late Bhola Yadav, Village - Loha, P.S. Sono, District
- Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 18-12-2015

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
Sections 302, 420, 467, 468 and 120-B of the Indian Penal Code.

The informant is the maternal uncle of the petitioner.
She is a widow. She alleges that six months prior her husband was
murdered and she suspects the hands of the petitioner and his
relatives. She also alleged that the petitioner forced her to register
the land in his favour.

The petitioner submits that the police in course of
investigation has not found the case true under Section 302 of the
Indian Penal Code against the petitioner. He further submits that
the allegation of forceful registration is also false, as the
complainant could have resisted the registration and made
objection before the registering authority.

I would not have entertained the case for grant of anticipatory bail in a case instituted in the year 2008, but for the facts that the police in course of investigation has found the case to be false under Section 302 of the Indian Penal Code.

In the circumstances, in the event of arrest or surrender before the court below within four weeks from today, the above named petitioner be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Jamui in connection with Sono Case no. 16 of 2008 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Samarendra Pratap Singh, J.)

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