

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29498 of 2014

Arising Out of PS.Case No. -1930 Year- 2010 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Bijay Krishna Sharma Son of Late Birendra Nath Prasad Resident of Village - Makara, Nayagaon, P.S. - Nayagaon, District - Saran at present resident of Mohalla - Darshan Nagar, P.S. - Chapra Town, District - Chapra, Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramesh Prasad Sharma S/O Late Binda Prasad .

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha

For the Opposite Party/s : Mr. Manish Kr.No.2 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 21-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest in a case punishable for the offence under sections 465 and 467 of the I.P.C.

Allegedly the petitioner executed sale deed in favour of Devendra Prasad Yadav wherein the Complainant has also been shown as Vendor No.4 and on behalf of the Complainant forged signature was done and accordingly the sale deed has been executed.

Submission is that in that sale deed there are six vendors out of whom some of the vendors are brother and other relation of the Complainant but the Complainant has filed case only against the petitioner after leaving the other vendors. The

dispute is purely of civil nature and the Complainant has filed partition suit also.

On behalf of the Complainant it has been submitted that the petitioner is admitting that he has executed the sale deed in favour of Devendra Prasad Yadav along with the Complainant and as such the petitioner has himself forged the signature of the Complainant and in place of the Complainant some other person has been represented.

Considering that in place of the Complainant some other person has executed the sale deed and signature of the Complainant has been done by impersonation by another person and as such this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner and accordingly such prayer of the petitioner stands rejected in connection with Complaint Case No. 1930 of 2010/ Tr. No. 4215 of 2014 pending in the Court of Sri Amit Kumar Singh, J.M. Saran at Chapra.

However, in case if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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