

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42063 of 2014

Arising Out of PS.Case No. -187 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

1. Hasmuddin Ansari S/o Sattar Ansari R/o village Parmanandpur, P.S. Birpur, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Pushpa Sinha (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 04-03-2015 The complainant is a land owner. Making grievance that the petitioner fraudulently obtained BASGIT PARCHA with respect to his land, filed a complaint case No. 187 (c)/ 2012 before the learned S.D.J.M., Birpur for an offence punishable under Sections 465, 466, 471 of the Indian Penal Code. In this back ground, the petitioner seeks anticipatory bail in the present application.

Learned counsel appearing on behalf of the petitioner submits that a civil dispute is being pursued in criminal proceeding malafide by the complainant. He submits that the petitioner has been rightly issued BASGIT PARCHA in accordance with the provisions of the Bihar State Privileged

Persons (Houstead Tenancy) Act. Learned counsel for the complainant on the other hand has vehemently opposed the prayer and has contented that the petitioner does not deserve the privilege of anticipatory bail in view of his conduct. However, accepting the submissions that dispute is civil in nature, in case of arrest or surrender within a period of four weeks, the above named petitioner shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Birpur in connection with Complain Case No. 187(C)/2012, subject to condition as laid down under Section 438(2) of Cr. P.C.

(Chakradhari Sharan Singh, J)

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