

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45033 of 2014

Arising Out of PS.Case No. -208 Year- 2014 Thana -SAHARSA District- SAHARSA

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Balmukund Gupta @ Balmukund Prasad Gupta, Son of Late Ganauri Sash
@ Gumeshwar Sah, Resident of Bariahi Bazar, P.S.- Bangaon, District-
Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishore Prasad Singh, Advocate.

For the Opposite Party : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 13-05-2015 Heard both sides.

The petitioner apprehends his arrest in Saharsa P.S.
Case No. 208 of 2014, registered for the offences punishable
under Sections 467, 468, 420, 471 and 120B of the Indian Penal
Code.

The wife of the petitioner made allegation against the
petitioner that the petitioner sold the land standing in her name and
the same she herself has purchased.

Learned counsel for the petitioner submits that the
petitioner purchased the land in the name of his wife. The wife of
the petitioner is Benamidaar. The petitioner also filed Title Suit
No. 183 of 2012 which is pending. It is also submitted that the
petitioner has already been granted interim anticipatory bail in

Saharsa P.S. Case No. 590 of 2013.

On the other hand learned counsel for the informant submits that the petitioner being husband of the informant executed different sale deeds in favour of different persons with regard to the lands standing in the name of the informant. In one of the case being Saharsa P.S. Case No. 590 of 2013 the anticipatory bail petition of the petitioner was rejected vide order dated 11.11.2014 passed in Cr. Misc. No. 14416 of 2014. The anticipatory bail petition of the petitioner was also rejected by the Hon'ble Supreme Court.

It appears that the petitioner filed Title Suit for declaring title over the lands standing in the name of his wife, informant, but during the pendency of the suit the petitioner executed two sale deeds with regard to the lands standing in the name of his wife, hence I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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