

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38911 of 2015

Arising Out of PS.Case No. -194 Year- 2015 Thana -CHAPRA TOWN District- SARAN

1. Manoj Kumar Singh Bhardwaj S/o Late Lagandeo Singh Resident of Mohalla Imamganj Mathiya, Police Station Chapra (Town), District Saran at Chapra, Ex District Persident Saran District Congress Committee Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-09-2015 Heard learned counsel for the petitioner Mr. Kumar Kaushik and learned A.P.P. for the State.

The petitioner apprehends his arrest in Chapra Town P.S.Case No. 194 of 2015 registered for offences punishable under Sections 420, 467, 468 and 120 (B) of the Indian Penal Code.

The prosecution case as per FIR, is that the I/C, President of Saran Zila Congress Committee, Chapra filed a petition before the SHO, Chapra Town stating therein that Manoj Kumar Singh Bhardwaj (petitioner), who was the Ex- President of Saran Zila Congress Committee, Chapra has executed a lease deed on 27.09.2014 in respect of holding no. 58, circle No. 17, ward No. 23, area 13 kattas situated in Mohalla- Sadhnapuri , P.S.-



Chapra Town, District Sartan in favour of one Navin Kumar and it was agreed that Navin Kumar would pay Rs. 1, 61, 000/- per year as rent to the Saran Zila Congress Committee. Manoj Kumar Singh Bhardwaj, Ex- District President Congress also withdrew money from Punjab National Bank, Hathua Market Branch, Chapra. It was alleged that the petitioner has no right to execute deed, either sale deed, rent deed, Ekrarnama or lease deed.

It is also alleged that the deed of lease has been forged with the help of Anil Kumar Singh & Yasin Azad, who were witnesses of the lease.

It has been submitted by the learned counsel for the petitioner that the petitioner was the Ex-President of Saran Zila Congress Committee and this F.I.R. has been lodged by the present In- charge, President of Saran Zila Congress Committee, Chapra.

It has further been submitted by the learned counsel for the petitioner that the dispute is purely of Civil nature and on the behest of Bihar State Congress Committee, Patna that the petitioner has executed a lease deed in favour of one Navin Kumar for development, construction and renovation of Congress Party Building and carrying on party works.

Further more it has been submitted that entire

proceeding is nothing but a vexatious proceeding instituted by the informant against the petitioner with an ulterior motive for wrecking vengeance due to political rivalry.

Under such circumstances, in case of arrest or surrender within a period of four weeks from today before the Court below, the above named petitioner, Manoj Kumar Singh Bhardwaj be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P. S. Case No. 194 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

Sudha/-

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