

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43992 of 2015

Arising Out of PS.Case No. -320 Year- 2010 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Binod Prasad, Son of Late Ramayodhya Prasad, resident of Village-
Rajepur, P.S.- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 14-10-2015 Heard the Counsel for the petitioner and Mr. Gajendra
Prasad Yadav, APP for the State.

The petitioner is Deed Writer of a document executed by
the agnate of the informant namely Daya Shankar Singh and is
facing prosecution under Sections 420, 468, 471/120B vide
Motihari P.S. Case No. 320 of 2010.

It has been submitted on behalf of the petitioner that the
matter was investigated whereafter a final report was submitted
wherein the investigating agency found it to be a case of civil
nature. The petitioner is only the Deed Writer and not the
beneficiary of the document said to have been created by the
purchaser in excess of the share of the vendor.

Considering the facts and circumstances of the case, in
the event of arrest or surrender in the Court below within four

weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in Motihari Town P.S. Case No. 320 of 2010 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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