

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27958 of 2015

Arising Out of PS.Case No. -201 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Mahendra Paswan Son of late Brahmdeo Paswan resident of Village-
Hasanpur Wosti, P.s Mahua, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 420, 467, 468, 471, 120-B/34 of the Indian Penal Code.

The prosecution story, in brief, is that the complainant has four brothers, namely, Achuta Nand Tiwary, Krishna Tiwary, Parmanand Tiwary and Shyamanand Tiwary. Parmanand Tiwary died leaving his wife, namely, Mina Devi and son Mukesh Tiwary Achutanand Tiwary also died issueless. It is alleged that khata no. 149 is recorded in the name of Maheshwar Tiwary and khata no.2 is recorded in the name of Achutanand Tiwary. It is further alleged that Mina Devi filed Mutation Case No. 3532/14, in which she has submitted that Maheshwar Tiwary has only three sons, namely, Achutanand Tiwary, Krishnanad Tiwary and Parmanand Tiwary. It is further alleged that she has filed false affidavit with regard to the G.T. of Ram Khelawan Tiwary and obtained mutation order with intent to grab the land of the complainant.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to mistake of fact. Further it has been submitted that this is a case of civil nature. It is also submitted that other co- accused have been granted bail vide Cr. Misc. No.10108 of 2015.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.,Vaishali at Hajipur in connection with Lalganj P.S.Case No. 201/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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