

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15070 of 2016

Arising Out of PS.Case No. -2492 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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Devi Sardar, Son of late Hriday Lal Sardar, Resident of village – Madanpur,
P.S. – Araria, District – Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gayanand Mandal, Son of late Sundar Lal Mandal, Resident of village –
Palasmani, P.S. Sikti, District – Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 11-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner being the Panchayat Secretary is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420/34 of the Indian Penal Code.

The complainant has alleged that the false death certificate of the father of co-accused Yugeshwar Mandal, namely, Kharkattu Das was issued by this petitioner in connivance with Yugeshwar Mnadal who wanted to defeat the right acquired by the complainant through the sale deed executed

by the father of co-accused Yugeshwar Mnadal in 1964.

It is submitted by learned counsel for the petitioner that the accusation has been levelled against the petitioner in the background of Title Suit No. 116 of 2011 pending between co-accused Yugeshwar Mandal and the complainant and co-accused Yugeshwar Mandal has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 32959 of 2015.

Considering the accusation levelled in the background of civil nature of dispute between co-accused Yugeshwar Mandal and the complainant, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Complaint Case No. 2492 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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