

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46818 of 2016

Arising Out of PS.Case No. -169 Year- 2014 Thana -COMPLAINT CASE District- SHEOHAR

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Ramanand Prasad, Son of Late Ram Ekbal Sah, Resident of Village- Ashogi
Chhapra Dhani, Police Station- Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Vijay Prasad, Son of Late Yadav Prasad, Resident of Village- Ashogi
Chhapra Dhani, Police Station- Purnahiya, District- Sheohar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Jha, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**
ORAL ORDER

2 13-12-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 169/2014, registered for the offences punishable under
Sections 420, 467, 468, 469 and 471 of the Indian Penal Code.

The complainant alleged that the petitioner filed a Title
Suit bearing no. 45/1996 for declaration of sale deed executed by
Nawal Kishore Prasad brother of the petitioner as null and void.
The suit was decreed. The petitioner filed execution case bearing
no. 03/13 when the complainant received notice. It transpired that
somebody filed Vakalatnama on behalf of the complainant,
although, the complainant and his family members did not execute
any Vakalatnama.



Learned counsel for the petitioner submits that complaint petition itself is not maintainable, if any forgery is committed in the records of the court. The complainant should file a petition under Section 340 of Cr. P.C. Other accused persons have already been enlarged on anticipatory bail. There is no specific allegation against the petitioner.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate Sheohar in connection with Complaint Case No. 169/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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