

WEB COPY

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.... Petitioner/s

1. The State of Bihar
2. Shekh Habibulla, Son of Late Hazi Alim Manda, R/o Koyali, P.S.-Birpur, District- Supaul

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr. Kumar Virendra Narayan (App)

Petitioner is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 323, 420, 504 of the Indian Penal Code.

The prosecution case is that the petitioner was in peaceful possession of 6 acres 8 decimals of land of Khata No. 57(old), Khesra No. 50(old), new plot Nos. 347, 348, 349, 352. The complainant sold the part of the land and thereafter 14 decimals of land remained in his possession but Jamabandi was created in the names of different persons in collusion with the revenue employees to grab the remaining land of the complainant. The petitioner was a revenue clerk at

the relevant time. Subsequently the complainant came to know that some others are harvesting the land of the complainant.

It is submitted by learned counsel for the petitioner that though initially the summons were issued, hence the bail application of the petitioner was disposed of by learned Sessions Judge. Now the warrant has been issued. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That, it is stated and submitted that the petitioner apprehending that he would be taken into custody and detained if they appeared in obedience to the summons issued to him and failed to appear in the complaint case. Consequently warrant has been issued against the petitioner on 05.01.2016.”

It is further submitted that petitioner only submitted the enquiry report and the actual jamabandi was created by the Circle Officer.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the nature of accusation, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, 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 Additional Chief Judicial

Magistrate, Birpur, Supaul in connection with Complaint Case
No. 86C of 2014, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Shageer/-

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(Dinesh Kumar Singh, J)