

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12794 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -GOGRI District- KHAGARIA

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Amit Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mamta Kumari
Mr. Baidyanath Pd. , Advocates
For the Opposite Party/s : Mr. Rita Verma(App)
For the Informant : Mr. Kumar Praveen, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2016 Heard learned counsels for the petitioner, informant and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406,420,467,468,471 and 120B of the Indian Penal Code.

The prosecution case is that co accused Manikant Malakar, the father of the petitioner entered into an agreement with Rima Devi and Sweety Kumari for transfer of land and he received Rs.3,51,000/- and subsequently the balance amount was also transferred in the account of Manikant Malakar but later on co accused Madhu Devi, wife of Manikant Malakar, in collusion with co accused persons, created an antedated agreement-to-sale in favour of the brothers of Manikant Malakar.

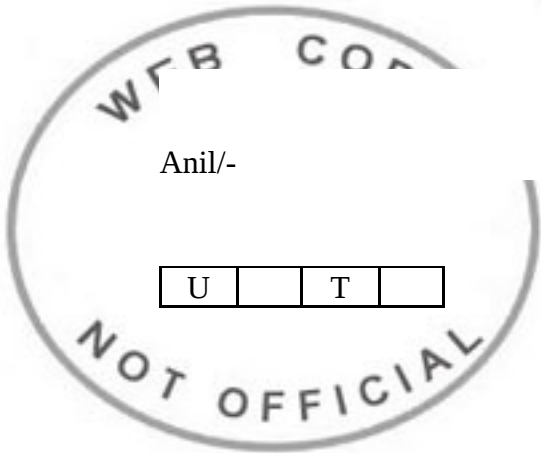


It is submitted by the learned counsel for the petitioner that the petitioner was only a witness to the agreement-to-sale. The thrust of accusation is against the father of the petitioner Manikant Malalkar who entered into an agreement and received consideration amount. It is further submitted that the mother of the petitioner filed Complaint Case No. 1286C of 2015 alleging that the agreement to sale was got executed by the informant from the father of the petitioner by administering liquor to him. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the informant that the petitioner is the son of Manikant Malakar who entered into the agreement and he was witness to the receipt of money by co accused Manikant Malakar.

Considering the fact that thrust of accusation is against co accused Manikant Malakar, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Khagaria in connection with Gogri P.S. Case No. 8 of 2016 subject to the conditions as laid down

under Section 438(2) Cr.P.C.



Anil/-

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(Dinesh Kumar Singh, J)