

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17712 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -PARSA District- SARAN

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1. Deodutt Choubey @ Deobrat Choubey son of Late Haribansh Choubey
resident of Village Mirjapur, P.S. Parsa District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay kumar Sharma

For the Opposite Party/s : Mr. Arun Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Parsa P.S. Case No. 31 of 2015 registered for offences punishable
under Sections 420, 467, 468, 471, 474, 504, 120(B) and 34 of the
Indian Penal Code.

The allegation made by the informant is that the
petitioner and informant being family members and *Patedar*, the
petitioner wrongly sold the land belonging to the informant by
registered sale deed. From the impugned order of the learned
Additional Sessions Judge, Chapra, it appears that a Title Suit No.
165 of 2015 is going on between the petitioner's side and
informant regarding ownership of the disputed land.

Counsel for the petitioner submits that the Civil Suit

which is pending will decide whether the right and title exists to sell the land or not. It has further been submitted that the allegations upon the petitioner is general and omnibus and other co-accused have since been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court in Cri. Misc. No. 47373 dated 15.10.2015 and Cri. Misc. No. 58456 of 2015 dated 01.02.2016.

However, learned A.P.P. for the State submits that the petitioner is named in the Complaint Case No.40 of 2015 against which this F.I.R arises and hence opposes the prayer for bail.

Be that as it may, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Parsa P.S. Case No. 31 of 2015 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Nilu Agrawal, J.)

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