

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19382 of 2016

Arising Out of PS.Case No. -773 Year- 2015 Thana -BANKA District- BANKA

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Md. Azam Ansari Son of Late Matin Ansari, Resident of village/Mohalla-
Bari Khangarpur, P.S.- Barari, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Balram Kapri

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

For the informant : Mr. Baxi S.R.P.Sinha, Sr.Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Banka (Barahat) P.S.Case No. 773/2015, disclosing offences
under sections 420, 467, 468, 421 and 120B of the Indian Penal
Code.

It is alleged against the petitioner that on the basis of
forged sale deed said to have been executed by the father of the
informant in the year 1963, he got the land in question mutated in
his name in the year 2012-13. It is the case of the informant that
the land in question belonged to their father, who had transferred
the same to their mother, who in turn, through gift deed had
transferred the said land to two of her sons, including the
informant.

In appeal against the mutation order, the said mutation order has been set aside.

Learned counsel, appearing on behalf of the petitioner, has submitted that in any event, it is a case of civil dispute and since the allegations are based on documentary evidence, there could be no likelihood of tampering with the evidence.

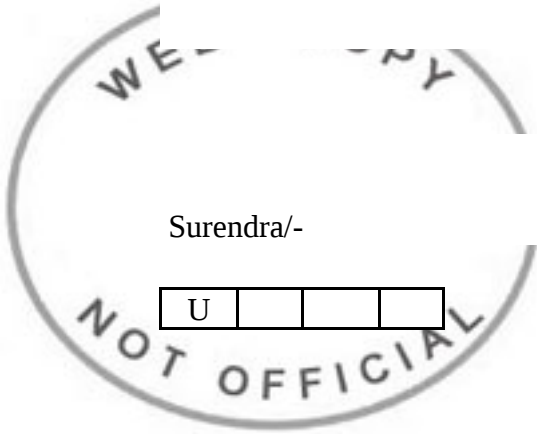
Mr. Baxi, learned Senior counsel appearing on behalf of the informant, has vehemently opposed the prayer for anticipatory bail and has submitted that the act of forgery alleged against the petitioner stands established.

Be that as it may, considering the nature of dispute between the parties, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Banka (Barahat) P.S.Case No. 773/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear

before the court on two consecutive occasions, his bail bonds shall
be liable to be cancelled.



(Chakradhari Sharan Singh, J)