

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39220 of 2016

Arising Out of PS.Case No. -2326 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Sanjay Kumar Agrawal @ Sanjay Kumar Agarwal, son of Shri
Radhe Shyam Agrawal, resident of Mohalla- Chunihari Tola,
R.N.Agrawal Road, P.S. Kotwali, District-Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. Saroj Devi W/o Amarnath Sharma, D/O Late Bishambhar Dayal
Sharma @ Bishambhar Joshi, resident of Mohalla-Chunihari Tola,
R.N.Agrawal Road, Near Rani Sati Temple, P.S. Adampur,
District-Bhagalpur, at present resident of Out Post Land, Nath
Nagar, P.O. Nath Nagar, P.S. Nath Nagar (Lalmatiya) District-
Bhagalpur

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 27-09-2016 Heard Sri Akhileshwar Prasad Singh, learned Senior

Counsel, who was assisted by Sri Praveen Kumar, learned counsel
for the petitioner, Smt. Sahin Begam, learned Addl. Public
Prosecutor and Sri Pravin Kumar Sinha, learned counsel, who has
voluntarily appeared on behalf of the complainant/Opp.Party no.2.

The sole petitioner, apprehending his arrest in
Complaint Case No.2326/2016, in which cognizance has been
taken for offence under Section 420, 465, 467, 468, 471 and 120B
of the Indian Penal Code, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner that sale deed was executed by the executor and, thereafter the land in question was transferred to the petitioner through registered sale deed. It has been argued that the complainant/Opp.Party no.2 besides filing complaint also filed a Title Suit vide Title Suit No. 626/2015. In sum and substance, it was argued that in a civil dispute, colour of criminal offence has been given.

Learned counsel for the complainant/Opp.Party, opposing the prayer of the petitioner, submits that in the complaint petition, it has categorically been stated that the so called vendor died long back in the year 1953 and by producing a fictitious lady, a forged and fabricated sale deed was prepared.

I do not find any ground to extend the privilege of anticipatory bail. The petition stands dismissed.

(Rakesh Kumar, J)

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