

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42637 of 2016

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1. Satya Narayan Singh Son of Late Jivanandan Singh Resident of Keshri Nagar, P.S.- Rajeev Nagar, Dist.- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Kumar Singh

For the Opposite Party/s Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

05/ 07.12.2016 Heard learned counsel for the petitioner as well as Mr. R.P.S. Singh, Addl. Public Prosecutor for the State. No one appeared on behalf of the opposite party no.2.

Petitioner apprehends his arrest in connection with a case registered under sections 420, 467, 468, 471 and 120B/34 of the Indian Penal Code.

The accusation against the petitioner is that on the basis of forged and fabricated documents, he was got making construction on acquired land of Housing Board.

Submission on behalf of the petitioner is that land in question belongs to Nirala Sahkari Grih Nirman Samiti and the petitioner was the secretary of the aforesaid Grih Nirman Samiti. It is further submitted that the aforesaid Samiti filed Title suit no. 621/2013 which was decreed and title and possession of the aforesaid Samiti was declared. It is further submitted that even if the prosecution story assumed to be true,



then also, at best, it is case of illegal encroachment.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in Rajeev Nagar P.S. Case no. 09/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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