

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38336 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -BHEJA District- MADHUBANI

Makhan Sharma @ Makhan Thakur Son of Late Puran Thakur, resident of
Village- Darah Tole, Nawtoliya, P.S.-Bheja, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-09-2016 Heard Sri Gagan Deo Yadav, learned counsel for the
petitioner and Sri Shyameshwar Dayal, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Bheja
P.S. Case No. 79 of 2015 registered for offence under Sections
147, 323, 341, 467, 468, 428, 120(B) of the Indian Penal Code,
has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that initially, the informant of the present case had filed a
complaint case, vide Complaint Case No. 789 of 2015 against
eight persons on an allegation that land of *Kabir Math* was
fraudulently transferred and purchased. He submits that petitioner,
unaware about the actual title, had purchased the land from the

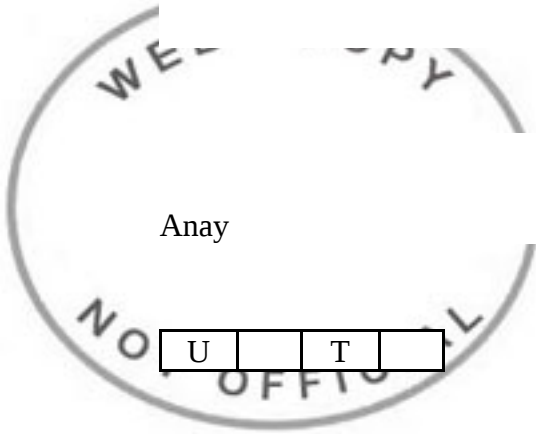
vendor, who had asserted that on *Samarpanama*, he had received the land in question. He further submits that some of the other accused persons namely Tripit Narayan Yadav and Upendra Yadav, who were arrayed as accused no. 5 & 6 in complaint petition, have already been extended the privilege of anticipatory bail by this Court.

Sri Dayal, learned Addl. Public Prosecutor has vehemently opposed the prayer for grant of anticipatory bail. He submits that there is serious accusation. He further submits that even though the land was declared in title suit to be of the *Kabir Math* land, fraudulently, the said land has been got transferred and purchased by the petitioner.

Be that as it may, since some of the other accused persons, having similar accusation, have been extended the privilege of anticipatory bail, there is no reason to deny the same relief to the petitioner.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Makhan Sharma @ Makhan Thakur be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection

with Bheja P.S. Case No. 79 of 2015, subject to condition as laid
down under Section 438(2) of the Cr.P.C.



(Rakesh Kumar, J.)

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