

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40334 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -PHULWARIA District- BEGUSARAI

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1. Basiruddin @ Chhotu Son of Md. Sayeed resident of village - Baro, P.S. Phulwaria, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Singh, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with Phulwaria P.S.Case No. 43/2016 registered for the offence punishable under Sections 419, 420, 406, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that his agnates fraudulently sold the share of his father to one Ashok Kumar singh and petitioner helped the accused persons in facilitating the said transaction.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that he has no connection with the aforesaid transaction and the sale deed executed in favour of Ashok Kumar Singh and other accused have been granted the

privilege of anticipatory bail vide Cr. Misc. Nos. 28525 of 2016 and Cr. Misc. No. 37325 of 2016 dated 25.07.2016 15.09.2016 by this Court. He submits that the petitioner has no criminal antecedent as is evident from para-3 of this application.

However, learned A.P.P. for the State submits that petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since on similar allegations other co-accused have since been granted the privilege of anticipatory bail and that the petitioner has no criminal antecedent, the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Begusarai in connection with Phulwaria P.S.Case No. 43 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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