

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3499 of 2016

Arising Out of PS.Case No. -468 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Bhudeo Choudhary, S/o- Banarsi Choudhary, resident of Village Tagepur,
P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parmanand Sharma, S/o- Late Shyam Prasad Sharma, resident of
Kajichak, Panna Mill Road, P.S.-Mojahidpur, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 21-01-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a protest –cum- complaint case in which processes have been
directed to be issued after cognizance being taken for the
offences punishable under Sections 323, 324, 379, 452, 120B
and 506 of the Indian Penal Code.

The prosecution case is that the
complainant came to the house at Holding No. 34, Khata No.
727 by virtue of a deed executed by maternal grand parents.
Subsequently the complaint received an order from the Anchal

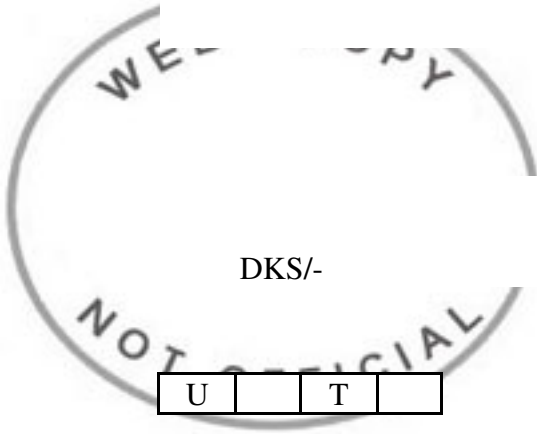
office passed by DCLR for demarcation and identification of the land directing for putting the petitioner in possession of the house in question.

It is submitted by learned counsel for the petitioner that initially complaint was filed which was transferred to the police under Section 156(3) of the Cr.P.C. but on conclusion of the investigation the petitioner was not sent up for trial and final form was accepted, but subsequently on the basis of protest –cum- complaint the petitioner has been summoned.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation, the fact that the petitioner and others were not sent up for trial and co-accused has been granted anticipatory bail vide Cr. Misc. No. 727 of 2016, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 468 of 2015 arising out of Mojahidpur P.S.

Case No. 12 of 2014, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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