

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38183 of 2013

Arising Out of PS.Case No. -215 Year- 2008 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Subhash Prasad Verma Son of Late Bhuneshwar Prasad Resident of
Mohalla - Sikandarpur, Mirjanhat, P.S. - Mojahidpur, District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Binod Kumar No. 3 (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 19-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is challenging the order
dated 25th July 2013 passed by Sub-Divisional Judicial Magistrate
Bhagalpur in G.R. No. 1000 of 2008 arising from Kotwali
(Adampur) P.S. Case No. 215 of 2008 for offences under sections
420, 467, 468, 471 and 120(B) of the Indian Penal Code.

As per the first information report, Deed no. 4999 of
1998 was executed on 29th December 1998 in favour of single
person, Smt. Indira Thakur and when the certified copy of the
deed was obtained on 5th February 2007 it was found that the
names of Indira Thakur and Om Prakash have been added in the
deed which led to filing of the present case.

The counsel for the petitioner submits that the petitioner is merely a deed writer, not a custodian of the document which was lying with the official of the Registration Department and he cannot have any occasion to tamper the record.

The prime question would be here in whose handwriting second deed has been written that will be the basis for arriving to a right conclusion.

The court below has framed the charge. At this stage, this Court is not inclined to interfere with the same. Accordingly, this petition is dismissed.

The court below is directed to conclude the trial on day to day basis, preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Shivaji Pandey, J)

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