

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50816 of 2016

Arising Out of PS.Case No. -2326 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Pradip Kumar Lohia @ Pradeep Kumar Lohia Son of Late Sohan Lal Lohia,
Resident of Chunhari Tola, P.S. Adampur (Kotwali) Town and District
Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Saroj Devi, W/o Amarnath Sharma, D/o Late Bishwambhar Dayal
Sharma, @ Bishwambhar Joshi, Resident of Mohalla, Chuniari Tola,
Bhagalpur, R.N. Agrawal Road, Near Rani Sati Mandir, P.S. Adampur
(Kotwali) Dist. Bhagalpur.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 2326(C) of 2015 for the offences
instituted under Sections 465, 468, 471 and 120B of the Indian
Penal Code.

The allegation against the petitioner is that he has
acquired the said piece of land by conspiring with co-accused
Sanjay Kumar Agrawal, Diwakar Prasad Karn and Bishnu Kant
Joshi by impersonating the Executant, namely, Parwati Devi and
has fraudulently acquired the same though she had already died.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The matter relates to civil dispute. The petitioner is said to be identifier on the sale deed in question. A civil suit is already pending between the parties.

On behalf of the State, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 2326(C) of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Ajay Shankar Prasad, Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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