

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28263 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -ARA NAWADA District- BHOJPUR

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1. Wakil Tiwary son of Late Baliram Tiwary, resident of Village- Chaugai,
P.O.- Bhelai, P.S.- Udwant Nagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that the petitioner being co-villager of the informant on the eve of the marriage of his daughter contacted the informant and sold the land appertaining to Khata No. 214, Survey Plot No. 2419, Chak Khata No. 242, Chak Khesra No. 1502 measuring an area of 1 katha 03 dhur on the consideration amount of Rs. 35,000/- but when the informant went to construct the house over the land then one Smt. Vidyawati Devi told the informant that she has earlier purchased the land from the petitioner. The informant, after making enquiry from the registry office demanded his money back from the petitioner but the money was not returned.

It is submitted by learned counsel for the petitioner that the area of the land is 34 decimals and only part of the land was purchased. The sale deed was executed on 05.10.2015 and after five years of the registration of the sale deed the F.I.R was registered.

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

Considering the delayed lodging of the case and the nature of accusation, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 39 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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