

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3326 of 2017

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

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Diwakar Prasad Karn, Son of Late Chiranjivi Prasad, Resident of Village Pachgachhia, Bazar, P.S. Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saroj Devi, Wife of Amar Nath Sharma, R/o Mohalla Chunihari Tola, R.N. Agrawal Road, P.S. Adampur Dist.- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case instituted for the offence under Sections 465, 468, 471 and 120B of the Indian Penal Code.

It is alleged in the complaint petition that the petitioner in conspiracy with other accused has got prepared a forged sale deed dated 13.1.2014 by impersonating another lady as Parvati Devi (late mother of the complainant). The complainant has filed death certificate of her mother Parvati Devi along with the complaint petition.

It has been submitted on behalf of the petitioner that the petitioner is the identifier of thumb impression of the sale



deed. It has further been submitted that co-accused Pradip Kumar Lohia @ Pradeep Kumar Lohia has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 25.11.2016 passed in Cr. Misc. No. 50816 of 2016.

From the written report itself it appears that the petitioner is said to be the identifier of the sale deed. From the complaint it is not clear as who the purchaser was and which lady impersonated Parvati Devi. This Court is of the view that a civil remedy is available to the complainant to redress his grievances.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Complaint Case No. 2326 of 2015, shall 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, Bhagalpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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