

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10393 of 2017

Arising Out of PS.Case No. -1489 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Kamal Rai S/o Bachcha Rai, Resident of Village- Hamidpur, P.S.-
Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ajay Singh, Son of Yogendra Prasad Singh, R/o Village + P.S.-
Masrakh, District- Saran at Chapra, at present R/O Rajapatti Kothi, P.O.
Rajapatti, P.S. Baikunthpur, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 22-06-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

complainant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Complaint Case No. 1489
of 2016/ Trial No. 1317 of 2016 for the offences punishable under
sections 420, 467, 468 and 120 B of the I.P.C.

Allegedly, the complainant's uncle and father
purchased jointly 9 bighas 13 kathas land from Gajadhar & Sons
Private Limited and came in possession. The names were also
mutated in the anchal office, but the accused persons being in
collusion and conspiracy got executed a bogus sale deed from
Dhirendra Gajadhar though he has got no right to execute the sale



deed and further the accused persons are causing threats to grab all the lands.

Submission is of false implication and that due to the village politics the petitioner has been implicated in this case, no offence as alleged is made out, from perusal of the complaint petition it reveals that this case is purely of civil nature, title suit between the parties is going on and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes prayer for pre-arrest bail of the petitioner by submitting that with intention to grab the land the petitioner got created bogus sale deed.

In the facts and circumstances as stated above, considering the nature of the dispute, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M-III, Gopalganj in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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