

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13761 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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Sanjay Sharma @ Sanjay Kr. Sharma, son of late Prabhu Nath Sharma,
resident of village/Mohalla Gandhi Chowk Garkha Road, P.S. Chapra
Town, district Saran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Adv.

For the State : Mr. Shyam Kumar Singh, APP 138

For the informant : M/S Ram Binod Singh & Vipin Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-03-2017 Heard the learned counsel for the petitioner,
the informant and the State.

This is a petition for grant of anticipatory bail for
offence under Sections 420, 467, 465, 468, 469 and 471 of
the Indian Penal Code.

From the genealogical table, it appears that the
petitioner and the informant are descendants of late Hari
Thakur. Hari Thakur was grand-father of the petitioner
and he had purchased some property from the joint family
fund. The said property was divided through Panchayati
among three brothers of Ram Chandra Thakur, sons of
Hari Thakur. One of the brothers, Shiv Pujan Thakur was
father of the informant. Allegation is that the petitioner
created a forged sale deed, said to be executed by Ram
Chandra Thakur in respect of said property in favour of
his son or the petitioner and on the basis of that sale deed
the petitioner had taken loan from the Bank and the Bank
is going to auction the entire property, including the share
of the informant. Thus, the only allegation is that the
petitioner has mortgaged entire property, including his



share as well as share of the informant.

If the case of partition through Panchayati is accepted as true, the informant is at liberty to show before the competent authority that the property was partitioned through Panchayati. Name of the informant or his father is already recorded in the revenue record and, thereafter, necessary action would be taken.

I am of the view that at this stage, there is no substantial material against the petitioner, hence, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Chapra Town P.S. Case No. 30 of 2017** to the satisfaction of the **Chief Judicial Magistrate, Saran at Chapra**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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