

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18516 of 2017

Arising Out of PS.Case No. -2586 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Vijay Thakur @ Vijoy Thakur, Son of Late Hardeo Thakur, Resident of
Village- Hudhauri, P.S.- Bochahan, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mundrika Prasad Thakur, Son of Late Durga Prasad Thakur, Resident of
Village- Rudhauri, P.S.- Bochahan, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate.
For the Opposite Party/s : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 18-05-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Complaint
Case No. 2586 of 2014, Trial No. 2265 of 2016 instituted for the
offence under Section 420 of the Indian Penal Code.
- It is alleged in the complaint petition that accused
persons constructed hut on land of the complainant for which he
filed a Title Suit which was decreed in his favour and decree was
handed over to the complainant. It is further alleged that after
delivery of possession, this petitioner along with other accused
persons in conspiracy, manufactured a fake *Panchnama* to show
that father of complainant had given land to the accused persons
on 5.12.1998, although, the father of the complainant had died on



30.7.1996 and hence there is no question of any *Panchnama*. The complainant filed the death certificate and *Panchnama* in the court below.

In this manner, from the complaint petition itself it appears that the complainant is in peaceful possession of the land in question.

There is mere allegation that one fake *Panchnama* has been prepared by the petitioner along with other accused persons.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Complaint Case No. 2586 of 2014, Trial No. 2265 of 2016, he 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 Sri Sunil Kumar Tripathi, Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and



reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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