

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31633 of 2017

Arising Out of PS.Case No. -73 Year- 2016 Thana -COMPLAINT CASE District- SHEOHAR

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Umesh Kumar, son of Veer Bahadur Rai, Resident of Village- Kushar, P.S.-
Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mukesh Kumar Singh, son of Ugarnarayan Singh, resident of Village- Barahi Chintaman, P.S.- Majorganj, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Devendra Kumar, Advocate
For the State	:	Mr. Manish Kumar, APP
For O.P. No.2	:	Mr. Gautam Kr. Yadav, Advocate
		Mr. Jagjit Roshan, Advocate
		Mr. Ashhar Mustafa, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 23-08-2017

Heard learned counsel for the parties.

2. The petitioner seeks cancellation of pre-arrest bail granted to opposite party no.2 in connection with Complaint Case No.73 of 2016 registered under Sections 420 and 406 IPC and Section 138 of the N.I. Act.

3. Learned counsel for the petitioner submits that the document, Annexure-4, is a forged document not signed by the complainant.

4. Learned counsel appearing on behalf of opposite party no.2 submits that the said document was already there at the time of filing of the application and there is no question of suppression of fact.

5. It appears that opposite party no.2 was granted anticipatory bail considering the submission that after execution of the sale deed in his favour, he applied for mutation of the same but the same was not done as the said property was already mortgaged and a proceeding under SARFESI Act was going on and it



was suppressed by the complainant. Moreover, there is no any prosecution launched by the complainant regarding the document alleged to be forged by the complainant.

6. Having considered the aforesaid facts, this Court does not find any ground for cancellation of bail. Accordingly, this application is dismissed.

(Arun Kumar, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
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