

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48363 of 2017

Arising Out of PS.Case No. -302 Year- 2012 Thana -ROSERA District- SAMASTIPUR

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Ram Subhak Das @ Ram Subhag Das, Son of Sukhdeo Das, Mauza-
Manjhaul, P.S.- Khodawandpur, District- Begusarai, Present resident of
Village Narhan Bishanpur, Tola Mahto Nav Tola, P.S.- Bibhutipur, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Rosera P. S. Case No.302 of 2012 registered under Sections
193, 419, 420, 467, 468 and 471 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that a purely civil dispute has been given colour of a
criminal case by instituting a false complaint, which was
referred to the police for investigation under Section 156(3) of
the Code of Criminal Procedure pursuant to which an FIR has
been instituted under aforesated Sections of the Indian Penal



Code. He submitted that none of the ingredients of the offences are attracted to the facts of the present case, as the petitioner has executed a sale deed in respect of the land belonging to him.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the complainant has alleged that the land in dispute belongs to him not to the petitioner.

Regard being had to the nature of the dispute, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, Samastipur in Rosera P. S. Case No.302 of 2012, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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