

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8412 of 2017

Arising Out of PS.Case No. -590 Year- 2013 Thana -SAHARSA District- SAHARSA

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Balmukund Prasad Gupta @ Balmukun Prasad Gupta, S/o Late Ganouri Sah
@ Late Guneshwar Sah, resident of Village - Bariyahi Bazar, P.S. -
Bangaon, District - Saharsa at present resident of East of Kosi Colony,
Bhawani Nagar, Ward No. 13, P.S. - Saharsa, District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Prasad Singh, Sr. Advocate
and Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-03-2017 Heard learned counsels for the petitioner, informant and
learned counsel for the State.

The petitioner is languishing in custody since 15.10.2016
in connection with Saharsa P.S. Case No. 590 of 2013 for the
offences instituted under Sections 420, 467, 468, 471 and 120(B)
of the IPC.

The prosecution story, in brief, is that the petitioner
being the husband of the informant fraudulently sold the land of
the informant. It is further alleged that unmarried son and daughter
of the informant depend on the said land. Earlier also the
petitioner had committed such type of act.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.10.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The informant happens to be the wife of the petitioner. Due to certain petty dispute, she is in habit of filing of false cases against the petitioner. In such cases, the petitioner is on bail. A title suit is also pending between the parties in the court below in respect to civil dispute.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Saharsa, in connection with Saharsa P.S. Case No. 590 of 2013.

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(Sudhir Singh, J)