

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10052 of 2017

Arising Out of PS.Case No. -55 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Mangal Chaubey, Son of Late Sudama Chaubey, Resident of Village-Saitha, P.S.-Sonhan, District-Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Vilochan Tiwary, Advocate

For the Opposite Party/s: Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-03-2017

Heard.

The petitioner is in custody since 24.01.2017 in connection with Bhabhua P.S.Case No. 55/ 2014 registered for an offence under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The informant in her written report submitted before S.H.O. of Mahua P.S. has stated that after the murder of her parents and brother, this petitioner in collusion with the widow of her brother fraudulently got executed a series of sale deed with respect to landed property.

Learned counsel for the petitioner submitted that there is no specific allegation of any fraud and forgery against him. The sale deed was executed by another person, who is none else than



the widow of her full brother. The persons, who purchased the land and the brother of this petitioner, have been allowed bail by different Co-ordinate Benches of this Court passed in Cr. Misc. No. 9853 of 2017 dated 01.03.2017, Cr. Misc. No. 9287 of 2017 dated 23.02.2017 and Cr. Misc. No. 14942 of 2015 dated 11.05.2015. Cr. Misc. No. 57984 of 2015 dated 04.01.2016 and Cr. Misc. No. 32484 of 2016 dated 20.09.2016. The case of the petitioner stands on better footing as he has neither purchased the land nor had any role in execution of those documents.

Learned counsel for the informant and learned A.P.P. opposes the prayer for bail.

Considering the nature of allegation and the fact that dispute is purely a civil dispute for which a Title Suit is also pending before Civil Court, let the above named petitioner 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 learned Chief Judicial Magistrate, Bhabhua (Kaimur) in connection with Bhabhua P. S. Case No. 55 of 2014.

(Sanjay Kumar, J)

Sudha/-

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