

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54798 of 2016

Arising Out of PS.Case No. -607 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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Pradeep Kumar Sah @ Pradeep Sah, son of Shivilal Sah, resident of Village+P.O.+P.S.- Kasba, District- Purnea, at present Halka Karmchari, Anchal- Pratapganj, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Sadarun Nishan, wife of Marahum Yunus, resident of Village- Bela Tedha, P.S.- Kisanpur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 24-04-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No.607 of 2015 registered under Sections 406, 411, 467, 468 and 420 of the Indian Penal Code.

The accusation is that the petitioner being the “Halka Karmchari” in collusion with the accused nos.1, 2 and 3, namely, Md. Nayeem, Md. Harun and Md. Mahiuddin respectively, got mutated 38 decimals land of the share of Marahum Yunus, the husband of the complainant/opposite party no.2, on the basis of forged Panchnama Partition.



Learned counsel appearing on behalf of the petitioner submits that, in fact, after the death of Marahum Yunus, the husband of the complainant/opposite party no.2, an application was filed for mutation of the property recorded in the name of Marahum Yunus, the husband of the complainant/opposite party no.2, on the basis of Panchnama Batwara and, thereafter, the petitioner reported about allowing the partition on issuing the notice to the legal heirs of Md. Yunus, the husband of the complainant/opposite party no.2, on the Panchnama Batwara, to the concerned Circle Officer. As such, the petitioner has not committed any mistake on his part.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Supaul, in connection with Complaint Case No.607 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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