

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13047 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -WAINA District- NALANDA
(BIHARSHARIFF)

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Manoj Kumar, Son of Late Narendra Kumar, Resident of Village-Manara,
Post-Dharampur, Police Station-Noorsarai, District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Verma

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Ben P.S.

Case No. 165 of 2016 instituted for the offence under Section(s)

420, 467, 468, 471 of the Indian Penal Code.

It is alleged in the written report that petitioner being Revenue Karamchari created a Jamabandi illegally in the name of Smt. Rinku Kumari with respect to 2.51 acre of land, without order of competent authority.

The matter was enquired by the District Magistrate, Nalanda and he found the allegation against this petitioner true. The enquiry report is enclosed with the written report.



Learned counsel for the petitioner has pointed out Annexure-2 which is the previous rent receipt and submitted that petitioner issued rent receipt for the period 2010-11 on the basis of rent receipt already issued in the year 2009-10. There is no allegation in the written report of issuing wrong rent receipt, rather there is allegation of creating wrong Jamabandi.

It has been mentioned in para 3 of the petition that petitioner is accused in one other case being Rajgir P.S. Case No. 64 of 2013 for the offences under Sections 420, 409, 34 of the Indian Penal Code.

In such circumstance, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Ben P.S. Case No. 165 of 2016 and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

(Sanjay Priya, J)

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