

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53300 of 2017

Arising Out of PS.Case No. -798 Year- 2017 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Bijay Kumar Thakur S/o Late Chandranath Thakur, R/o Lesi Singh Road,
Sri Nagar Hata, Purnea, P.S.- K. Hat, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Devanand Singh S/o Late Satyanand Singh, R/o Mohalla- Sri Nagar
Hata, P.S.- K . Hat, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 09-11-2017 Heard the learned counsel for the petitioner, the

learned counsel for the complainant and the learned A.P.P. for the

State.

The petitioner apprehends arrest in connection with

Complaint Case No. 798 of 2017 instituted for the offences

punishable under Sections 420, 467, 468 and 120-B of the Indian

Penal Code.

It appears that a proceeding under Section 107 of

Cr.P.C. was initiated by the S.D.M, Sadar against Munna Kumar

and Ashwani Kumar at the instance of the complainant. In the said

proceeding, said Munna Kumar and Ashwani Kumar filed show

cause along with a paper showing payment of rent in favour of the



mother of the complainant. The complainant has alleged that the receipts produced before the learned S.D.M. were forged and fabricated and accordingly, he filed the present complaint case against Munna Kumar and Ashwani Kumar and four others.

The learned counsel for the petitioner submits that the allegation of committing fraud in preparation of document relating to payment of money in favour of the mother of the complainant is against two other co-accuseds. There is absolutely no allegation against the petitioner except that he had witnessed the said document. In S.A., the complainant has not uttered anything against this petitioner.

It appears that the petitioner is the resident of the same place and a suit was filed by the first wife of this petitioner against the father of the complainant, which was decreed in favour of the wife of the petitioner.

The learned counsel for the informant while opposing the anticipatory bail application has submitted that at the instance of this petitioner, the said accused were inducted as tenant by the mother of the complainant.

Be that as it may. Considering the nature of allegation, facts and circumstances of the case, the anticipatory bail prayer is allowed. The petitioner, above named, in the event of arrest /



surrender within six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 798 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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