

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24352 of 2017

Arising Out of PS.Case No. -263 Year- 2016 Thana -PAROO District- MUZAFFARPUR

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1. Hari Kant Singh Son of Nagendra Singh, Resident of Village-
Mahamadpur Baya, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand
For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
Addl. Public Prosecutor for the State.

The petitioner apprehends his arrest in Paroo P.S. Case No.
263 of 2016 instituted for the offence under Sections-420, 467, 468,
120(B) of the Indian Penal Code.

As per written report, the petitioner is broker of the land. There
is allegation by the informant that the petitioner got the sale deed
executed of the land by producing fictitious person, who executed the
sale deed in the name of Abadhesh Prasad Shahi and also witnessed the
sale deed in question by fictitious person namely, Maheshwar Bhagat.
The informant learnt about the aforesaid act when he filed for mutation
of the land in his favour on the basis of aforesaid sale deed.

Counsel for the petitioner submits that sale deed in question
was executed on 19-08-2015 and the present case has been lodged on



18-12-2016. The zerox copy of the sale deed has been filed which shows that Abdhesh Prasad Sah executed sale deed in favour of the informant and Maheshwar Bhagat is witness on the aforesaid sale deed.

The civil remedy is available to the informant for his grievances.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above in the event of his arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Paroo P.S. Case No. 263 of 2016 to the satisfaction of Priti Kumari, learned Judicial Magistrate-Ist Class, Muzaffarpur subject to conditions as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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