

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39312 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Krishna Yadav @ Krishna Kumar @ Krishna Munshi, S/o Deep Narayan
Yadav, Resident of Mohalla- Maranga West, P.S.- K. Hat (Maranga),
District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Adv.

For the Opposite Party/s : Sri Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends arrest in connection with
Purnea Sadar P.S. Case No. 72 of 2016 registered for the
offence(s) punishable under section(s) 341, 323, 379, 420, 467,
468, 471/34 of the Indian Penal Code.

The informant has alleged that after the death of her
husband, she was intending to execute a deed of Will in favour of
her children, but this petitioner being deed writer, fraudulently
took an amount of Rs.80,000/- for purchasing the stamp paper and
after purchasing the same, he also obtained her signature on the
stamp paper and without any information and knowledge to the
informant, brought into existence a registered sale deed in favour



of her daughter and son-in-law.

The learned counsel for the petitioner submits that the dispute between the parties is purely a civil dispute, as the informant has already filed a title suit, vide Title Suit No. 180 of 2015, before the learned Court below against her daughter and son-in-law for cancellation of sale deed purported to be executed by the informant. It has been submitted that the daughter and son-in-law of the informant, who are beneficiaries, have been allowed anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 23098 of 2017, vide order dated 24.05.2017. The petitioner is deed writer, having no role at all except drafting of the deed and as such, he also deserves anticipatory bail.

Learned Additional Public Prosecutor, on the other hand, opposed the submission, but concedes that a title suit is pending between the parties.

Considering the nature of dispute, facts and circumstances, as stated above, this application for anticipatory bail is allowed.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, 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 the learned Chief Judicial Magistrate, Purnea in connection with Purnea Sadar P.S. Case No. 72 of 2016, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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