

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21533 of 2017

Arising Out of PS.Case No. -170 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Nawal Kishore Sah son of late Devi Prasad Sah resident of village -
Khalifabad, P.S. Adampur, District - Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Mahendra Nath Banka son of late Satya Narayan Banka resident of
village - Khalifabag, P.S. Adampur, District - Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 170 of 2014 for the offences instituted
under Sections 406 and 420 of the Indian Penal Code.

The petitioner is alleged to have made signature on the
agreement of sale of deed, which is said to be fraudulently got
registered by the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been made accused due to mistake of fact. The



petitioner is said to be the witness to the agreement for sale between co-accused namely Vishnu Kumar Sah, Mahesh Prasad Sah, Rajesh Kumar Sah and the complainant. No wrongful gain has been made by the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 170 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri N. Dayal, Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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