

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32327 of 2017

Arising Out of PS.Case No. -768 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Harishankar Prasad, son of Late Amar Prasad, resident of Village-
Gobindapur, P.S.- Turkauliya, District- East Champaran.

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.... Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra, Advocate
For the State : Mr. Sri Anand Kishore Choudhary, APP
For the informant : Mr. Abhisekh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **13-07-2017** Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for the informant.

Petitioner is apprehending his arrest in connection
with Motihari Nagar P.S. Case No. 768 of 2016 registered for the
offences punishable under Sections 420,467 and 468/34 of the
Indian Penal Code.

The allegation relates to execution of sale deed with
respect to same land by the accused persons which has been
purchased long back by the father of the informant.

It is submitted by the counsel for the petitioner that
the only allegation against the instant petitioner is that he was
witness to the sale deed. The other co-accused persons against
whom the allegation of executing the sale deed has been made,



have already been allowed anticipatory bail vide order dated 01.07.2013 passed in Cr. Misc. No. 28841 of 2017. He also submits that the petitioner has no criminal antecedent prior to the instant case.

From perusal of the FIR and on the basis of submission made by the counsel for the petitioner, the instant case prima facie appears to be a civil dispute.

In the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in Motihari Nagar P.S. Case No. 768 of 2016 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Madhuresh Prasad, J)

Prakash/-

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