

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53569 of 2017

Arising Out of PS. Case No.-87 Year-2017 Thana- CHARIABARIYARPUR District-
Begusarai

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Anjani Kumar @ Pappu, son of late Saligram Singh, resident of village-
Pawara, P.S. Cheria Bariarpur, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akhileshwar Pd. Singh, Sr. Advocate
		Mr. Surendra Pd. Singh, Advocate
For the Opposite Party/s :		Mr. Vinay Mistry, Advocate
		Mr. Sauref, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
counsel appearing for the State as well as the informant.

The petitioner is apprehending arrest in connection with
Cheria Bariarpur P.S. Case No. 87 of 2017 for offences under
Sections 420, 466, 467, 468, 471/34 and 120(B) of the Indian
Penal Code.

The allegation against the petitioner, as per the first
information report, is that the petitioner has manufactured a
forged Will in his favour purportedly executed by the mother-in-
law of the informant, who happens to be the mother of this
petitioner.

Mr. Akhileshwar Pd. Singh, Sr. Advocate appearing on
behalf of the petitioner, submits that there is absolutely no



dispute that the petitioner is the son of the executant of the Will. He submits that in Probate case No. 40/2015 every family members have been heard before passing the order in the probate case and after the order was passed in the probate case, the present case has been filed as a pressure tactics. He submits that the order passed in the probate case is appealable but instead of taking legal recourse as would be permissible under the Indian Succession Act, the informant has filed the present case which is patently designed to harass the petitioner. The case on the face of it is false and designed to pressurize the petitioner, who is the beneficiary of the Will and in whose favour the probate was granted.

Counsel for the informant says that the petitioner has practiced fraud in procuring the order of the probate Court. However, he admits that he has not challenged the order of the probate court in accordance with provisions of the Indian Succession Act.

Considering the aforesaid facts and circumstances, the Court is of the view that the petitioner deserves anticipatory bail and accordingly, let the petitioner, above named, in the event of arrest or surrender within four weeks from today, 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 Additional Chief Judicial Magistrate, Manzhaul, Begusarai, in connection with Cheria Bariarpur P. S. Case No. 87 of 2017, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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