

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46120 of 2018

Arising Out of PS.Case No. -192 Year- 2018 Thana -BANKA District- BANKA

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1. Arun Sharma S/o Late Bidho Sharma, R/o Vill.- Maheshadih, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 20.03.2018 in connection with Banka P.S. Case No. 192/2018 registered for the offences punishable under Sections 420/419/467/468/475/385/120(B) and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that though it is alleged by the Constable (informant) that he is the land owner of the plot for which certain rent receipts have been prepared and filed by co-accused Dhananjay Sharma as well as the present petitioner, the remedy was available before the said Constable (informant) to get the said receipts annulled in an appropriate proceeding. It is thus submitted that the question of



fraud would arise only after any such certificate is provided by the Circle Officer, Banka, and that on the basis of same, if the informant was being forcibly dispossessed from the land, the remedy available to him was in an appropriate proceeding under the relevant provisions of law.

Considering the aforementioned submissions and that the petitioner has got no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 192/2018.

(Anjana Mishra, J)

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