

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7357 of 2018

Arising Out of PS. Case No.-187 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Ramesh Chandra S/o Late Davendra Kumar, R/o Mohalla- Balipur
Macharhatta, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sudha Kumari W/o Kapildeo Prasad, R/o Mohalla- Balipur, Macharhatta,
P.S.- Barh, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. SMT. VEENA RANI PRASADD.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in complaint case no.
187(c) of 2015 instituted for the offence under Section(s) 420
and 323 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is the brother of the complainant. It is further
submitted that it is a matter of family dispute. The money in the
bank account of late father of the complainant was transferred in
the account of mother of this complainant on the basis of
succession certificate. There is no transfer of money in the
account of this petitioner. The complainant has levelled



allegation against the petitioner that he conspired with other accused persons in preparing the false succession certificate after putting false signature of this complainant. From the complaint petition itself, it is apparent that payment was made in the account of mother of the complainant on the basis of succession certificate. The civil remedy is available to the complainant for such grievance.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with complaint case no. 187(c) of 2015, he shall be released on anticipatory 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 Judicial Magistrate 1st class Barh, Patna, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers



with the evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of bail of
the petitioner.

(Sanjay Priya, J)

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