

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7379 of 2018

Arising Out of PS.Case No. -159 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Neeraj Kumar (Advocate) @ Niraj Kumar (Advocate), S/o Late Tarkeshwar Prasad Srivastava, R/o Mohalla- Akhraghat, P.S.- Town, District- Muzaffarpur, at present Katib in Sub Registry office, P.S.- Town District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, W/o Rampur Singh, R/o Village- Turki Khrash, P.S.- Minapur, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Town P.S. Case No.159 of 2014** instituted for the offence under Section(s) 467, 468, 471, 420, 120-B Indian Penal Code.

Counsel for the petitioner has submitted that he is not the beneficiary of the sale deed. He was merely Deed Writer.

Allegation in the written report is that the informant had purchased land as mentioned in the Complaint Petition, which was sent to P.S. under Section 156 (3) Cr. P. C., on 14.07.2012 from Ramadhar Singh (accused no.1). Thereafter, on 22.12.2013, Asharfi Rai, Raj Kishore Rai and Ram Niwas Rai in



connivance with others came with unknown persons and told that they have purchased the aforesaid land and wanted to grab the land of the informant. The informant learnt that they got sale deed executed on 20.12.2013. She obtained certified copy of the Sale Deed on 28.12.2013.

In this manner, there is no allegation of overt act against the petitioner.

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 **Town P.S. Case No.159 of 2014**, 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 **Chief Judicial Magistrate, Muzaffarpur**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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