

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54549 of 2017

Arising Out of PS.Case No. -265 Year- 2015 Thana -PURNEA SADAR District- PURNIA

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1. Narendra Prasad Mandal, S/o Late Rama Nand Mandal, Resident of Village/Mohalla- Shivpuri, Bank Colony, Bhatta Bazar, P.S.- K. Hat, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sadar P.S. Case No. 265 of 2015 instituted for the offence under Sections 467,468,471,420/34 of the IPC.

Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR. There is allegation against Anirudha Pd Singh and Vijay Kr. Choudhary that they sold the land of Brahm Asthan situated in Mauja Maharajganj appertaining to Khata No. 3, Khesra No. 1130/1139, Area 14 ½ Katha to different people. The name of this petitioner has subsequently come during investigation, being Circle Officer of the Block at the relevant time, when the mutation of land was done in the name of the purchaser.

Learned counsel for the petitioner has submitted that mutation was done by the petitioner on the basis of report of Circle Inspector, Sadar, Purnea on the basis of sale deed. The



petitioner has no any malafide intention in doing the mutation. It has been further submitted that legal remedy is available to the informant.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sadar P.S. Case No. 265 of 2015 to the satisfaction of learned C.J.M., Purnia subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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