

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1538 of 2018

Arising Out of PS. Case No.-1243 Year-2012 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Ram Naresh Mandal @ Naresh Kumar, Son of Thakko Mandal, Resident of
Village - Khangraitha, P.S. Hayaghat, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ram Bhajan Mandal, S/o Thakko Mandal, R/o Khangraitha P.S. Hayaghat,
Distt Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Adv.

For the Opposite Party/s : DR. INDIWAR KUMARI, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 420 of the Indian Penal Code.

Prosecution case as per the complainant is that the complainant was in need of money and he decided to sell his agricultural land measuring 1 Katha 6 Dhurs at Rs.26,500/-with this petitioner, who is own brother of the complainant. The petitioner in conspiracy with co-accused, Ram Nath Singh, got incorporated in the sale deed the homestead land measuring an area of 7 dhurs in place of 6 dhurs of agricultural land.



It is submitted by learned counsel for the petitioner that the informant is the own brother of the petitioner. The sale deed is not in dispute and Title Suit No. 228 of 2012 is pending between the parties. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that specific accusation has been levelled against the petitioner.

Considering the accusation being arising out of civil nature of dispute, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Darbhanga, in connection with Complaint Case No. 1243 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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