

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3500 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -PALASI District- ARRARIA

- =====
1. Shankar Mandal, S/o Hari Lal Mandal,
 2. Hari Lal Mandal S/o Dhan Lal Mandal, Both R/o Village- Dharamganj,
P.S.- Palasi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra

For the Opposite Party/s : Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend arrest in connection with Palasi
Police Station Case No. 273 of 2017 registered for the offences
under sections 467, 468, 471, 406, 420 and 120B of the Indian
Penal Code.

Allegation is that these petitioners in order to grab
the land of Md. Mahboob Alam, manufactured and used the
forged and fabricated rent receipt.

It has been submitted that the informant in collusion
with the Circle Officer and the Circle Inspector, has lodged this
case with false and frivolous allegation. The petitioner is witness
in a complaint case bearing Palasi Police Station Case No.



459C/2017 against the concerned Halka Karmchari and the present case has been lodged at the instance of said Halka Karmchari subsequent to the filing the complaint case. In another case registered at the instance of Halka Karmchari bearing Palasi Police Station Case No. 169 of 2017, the petitioner no. 1 has been allowed anticipatory bail by one of the coordinate Bench of this Court in Cr. Misc. No. 59480 of 2017. The allegation of using the forged and fabricated document appears omnibus and no case as alleged is made out.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioners in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Araria in connection with Palasi Police Station Case No. 273 of 2017, subject to conditions as laid down under section 438(2) Cr.P.C. with further conditions:

(1) one of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the



concerned Court, (2) the petitioners will not induce any witness or tamper with the evidence (3) the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Sanjay Kumar, J)

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