

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1420 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Hariom Prasad @ Hariom Shahi, son of Rajnandan Prasad @ Rajnandan Shahi, resident of village- Mohachhi Nain, P.S.-Gopalpur, Anchal- Chanpatia, District- West Champaan, at present resident of village-Desua, P.O.-Bhagwanpur Desua, P.S.-UJiyarpur, District-Samastipr.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Dr. Vijay Nandan Shahi, son of late Sharda Prasad Shahi, resident of village-Mohachhi Nain, P.S.-Gopalpur, District-West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 05-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bettiah Town**
P.S. Case No.18 of 2017 instituted for the offence under
Section(s) 420, 467, 468, 471, 120-B Indian Penal Code.

In the instant case, informant/Complainant has
alleged that petitioner has executed sale deed with respect to land
of the Complainant in favour of Meera Devi.

Counsel for the petitioner has submitted that
Informant/Complainant is uncle of the petitioner. Both parties
have land dispute. The Informant/Complainant has also filed
Partition Suit No.69 of 2017, which was dismissed in default by



order dated 04.01.2016 passed by the learned Sub Judge 1st, Bettiah, West Champaran, because the Complainant/Informant left pairvi in that case. Thereafter, instant criminal case has been filed by the Complainant/Informant.

Counsel for the petitioner has submitted that total six cases have been filed by the Complainant/Informant against the petitioner. Petitioner has been granted bail in all other cases. Dispute is totally civil in nature.

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 **Bettiah Town P.S. Case No.18 of 2017**, 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, Bettiah, West Champaran**, 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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