

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61603 of 2017

Arising Out of PS.Case No. -3 Year- 2015 Thana -SARSI District- PURNIA

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Sheikh Abbas S/o Late Sheikh Nasiruddin, R/o Village- Burhiya
Akhtiyarpur, P.S.- Sarai, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-01-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Sarsi PS case no. 03 of 2015 registered for the
offences punishable under Sections 147, 148, 323, 307, 386, 467,
468, 420, 120B of Indian Penal Code.

The case of the prosecution is that the informant,
who is coming into peaceful possession over the land in question,
had gone to the office of the Circle Officer for paying rent
regarding the said land where it transpired that the accused
persons have forged a compromise petition and obtained a
compromise decree dated 09.03.1977 passed in title suit no. 294 of
1975. It has been further alleged that neither the informant nor his
co-sharers had put their signatures over the compromise petition
moreover, the petitioner was, at that time, a minor. It is further



alleged that on the date and time of occurrence, the accused persons reached on the land of the informant and started abusing the informant as also tried to press his neck.

The learned counsel for the petitioner submits that there is general and omnibus allegation in the FIR, at best the allegation leveled in the FIR can be said to be a civil in nature, the petitioner has a clean antecedent and he has got no role to play in the alleged occurrence.

Having regard to the facts and circumstances of the case, let the petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Sarsi PS case no. 03 of 2015 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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