

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62635 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -CHANDAN District- BANKA

1. Rajesh Yadav @ Ranvir Kumar S/o Sri Shambhu Yadav, R/o Village- Kasai, Kasai, P.S.- Chandan, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Chandan P.S. Case No 36 of 2017 registered for offences punishable under Sections 323, 341, 504, 506, 467, 468, 471, 406, 420, 409 and 34 of the Indian Penal Code.

The allegation against the petitioner is that he along with other accused persons has created forged Jamabandi in the name of co- accused, Baleshwar Mahto, who is grand father of the petitioner. It has further been alleged that the petitioner in connivance with Halka Karamchari Ravindra Mody, managed to create forged Jamabandi. It is also alleged that when the accused persons were trying to take possession of the land in question, the informant protested, however, he was threatened and assaulted.

Learned counsel for the petitioner submits that at best



the allegations leveled in the present case is in nature of a civil dispute and the remedy for the informant lies before a competent Court of civil jurisdiction. It is further submitted that there is general and omnibus allegation of assault and no injury has been suffered by the informant. It is further submitted that the petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, I find that as far as the petitioner is concerned, at least he is entitled for grant of anticipatory bail.

Considering the facts and circumstances of the case, the above named petitioner is directed to be released on anticipatory bail in the event of his arrest/surrender before the concerned Court within six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan P.S.Case No. 36 of 2017, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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