

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27106 of 2018

Arising Out of PS.Case No. -178 Year- 2018 Thana -NAWADA District- NAWADA

=====

Gopal Prasad Bhagat S/o Late Ramchandra Bhagat, R/o Mohalla- Purani
Bazar, Nawada, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sri Amrendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 03-05-2018

Learned counsel for the petitioner is

permitted to make necessary correction in paragraph 1 of the
petition.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 420,
467, 468 and 471/34 of the Indian Penal Code.

The prosecution case as per Complaint Case
No. 135 of 2018 filed by Ram Gopal Rawat which came to be
registered as police case after complaint being transferred under
Section 156(3) Cr.P.C.

It is alleged that by virtue of a forged sale
deed the land of the informant appertaining to Khata No. 146,



Plot No. 6070 has been transferred in favour of the petitioner, who got his name mutated in conspiracy with Bhola, the Halka Karamchari.

It is submitted by learned counsel for the petitioner that if the informant is aggrieved with the mutation or execution of the sale deed the remedy lies by challenging either the order of mutation or the sale deed at appropriate forum. However, with regard to the land in question the father of the informant filed Title Suit No. 21 of 1989, wherein the petitioner and his father are party defendants. The informant-plaintiff also made prayer for injunction in title suit which was declined by the learned Munsif, Nawada.

Learned counsel for the State submits that the thrust of accusation is against the petitioner.

Considering the fact that the mutation was done in 2015 and it was challenged through lodging of the FIR in 2018, moreover, the accusation arising out of a civil nature of dispute, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Nawada in connection with Nawada P.S. Case No. 178 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

