

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45608 of 2018

Arising Out of PS. Case No.-996 Year-2015 Thana- COMPLAINT CASE District- Araria

Surenbra Kumar Yadav @ Surenbra Yadava S/o Late Gangadhar Yadav,
resident of Village- Gopalpur, P.S. Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nirmala Devi, W/o Ashok Yadav, resident of Village- Gopalpur, Tola Satwer,
P.S. Raniganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh
For the Opposite Party/s : Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in complaint case no. 996
(C) of 2015 instituted for the offence under Section(s) 147, 148,
120B, 471, 467, 420, 323, 379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that it is a
matter of pure civil dispute.

In the written report, it is alleged that this petitioner along
with two other accused persons have got prepared a forged death
certificate and also a forged deed of adoption to grab the land of
complainant.

It is submitted that this petitioner is related to Bouku Yadav
as nephew and said Bouku Yadav had no issue as he was unmarried,
and as such, during his life time he adopted petitioner as his son on



3.3.1990. The deed of adoption contains L.T.I. of Bouku Yadav and L.T.I. and signature of witnesses. The aforesaid deed of adoption is enclosed as Annexure-2 to the bail petition.

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 complaint case no. 996 (C) of 2015, 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 A.C.J.M.-IV, Araria, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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