

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58587 of 2018

Arising Out of PS. Case No.-529 Year-2013 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Kailashpati Prasad @ Kailash Pati Prasad S/o Late Chandragokhula Parasad,
R/o Vill.- Olipur, P.S.- Zadopur, District- Gopalganj, At present Saraya, Ward
No. 6, Back Side of Block Office, P.S.- Gopalganj Town, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ajay Kumar Srivastav, S/o Late Vashist Prasad, R/o Olipur, P.S.- Zadopur,
District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sandeep Sahi, Senior Advocate
		Mr. Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s :		Smt. Reena Sinha, APP163

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 30-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
filed for the offences punishable under Sections 420, 467, 468
and 120B of the Indian Penal Code.

Allegation is that the petitioner had transferred the
land of the complainant, though the petitioner does not belong
to the family of the complainant.

The aforesaid allegation has been denied by filing
supplementary affidavit along with genealogical table and a
very old document of the year, 1940, whereby registered
mortgage deed was executed by the ancestor of the petitioner in



respect of the same land.

Considering the bona fide claim of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No.529 of 2013, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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