

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13876 of 2019

Arising Out of PS. Case No.-256 Year-2005 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Shyam Nandan Prasad Son of Late Brahmdeo Prasad R/o Village- Baghi,
P.S.- Town, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Masomat Sunaina Devi Wife of Late Rajendra Prasad (Original Complainant), R/o Village - Baghi, P.S.- Town, Begusarai, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 256C of 2005, disclosing offences under Sections 120(B), 467, 468, 473 of the Indian Penal Code.

Allegation as per F.I.R. is that the complainant sold some lands to Jai Kishore Prasad and Nand Kishore Prasad, who are her nephews and apart from that she had not sold any land and on 28.11.2004, she came to know that a case is going on in the court of Sub Judge between her and one Kamlesh Chandra Jha and thereafter she enquired and came to know that Kamlesh Chandra Jha has created a forged sale-deed in his favour by forging her signature.



Submission of learned counsel for the petitioner is that the petitioner is only a witness in the alleged sale deed and there is no other allegation against him and other co-accused persons have been granted anticipatory bail passed in Cr. Misc. No. 49065 of 2007 and as the petitioner has moved for quashing of the same and the proceeding was stayed and as such he could not file the anticipatory bail application earlier.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Begusarai, in connection with Complaint Case No. 256C of 2005, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/-

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