

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17969 of 2019

Arising Out of PS. Case No.-133 Year-2017 Thana- WARISNAGAR District- Samastipur

Chandra Bhushan Prasad, aged about 63 Years (Male), Son of Late Sita Ram Sah, Resident of Village-Mannipur, P.S-Warisnagar (Mathurapur OP), District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jitendra Narain Sinha, Advocate.
For the Opposite Party : Mr.Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 406, 420, 467, 468, 471, 504 and 506 of the IPC.

The prosecution story, in brief, is that in the year 1998, the accused fraudulently executed a *Sud Bharna Deed* in favour of the informant and on demand, accused-petitioner assaulted the complainant-informant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in



the present case due to mistake of fact. The date of occurrence is 26.06.1998 as to when complaint case was filed on 23.01.2017 which came to be registered an F.I.R. under Section 156 (3) of Cr. P.C. on 01.06.2017. Delay has not been explained by the prosecution. The matter relates to civil dispute.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Samastipur, in connection with Warisnagar (Mathurapur O.P.) P.S. Case No. 133 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

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

