

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17824 of 2019

Arising Out of PS. Case No.-102 Year-2018 Thana- DANDKHORA District- Katihar

ASHOK KUMAR SHARMA S/o - Late Jagdish Chandra Sharma R/o-
Bhamraili, P.S.- Dandkhora, Distt. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Singh
For the Opposite Party/s	:	Mr.Chandra Sen Prasad Singh
For the informant	:	Mr. Pravin Chandra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-07-2019 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Dandkhora Police Station Case No. 102 of 2018,
disclosing offences under Sections 420, 467, 468 and 471 of the
Indian Penal Code.

The allegation against the petitioner is that the
petitioner had purchased 02 decimals of land in Khata No. 78,
Khesra No. 71, but has mutated the land to the extent of 47
decimals in Khesra No. 71 after committing forgery in the sale
deed.

Learned Counsel for the petitioner submit that the



petitioner has purchased altogether 47 decimals of land in three different khesras, i.e. Khesra Nos. 69, 70 and 71. He further submits that he got the mutation done by the Circle Officer, pertaining to 47 decimals of land, as per the sale deed.

Learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that the petitioner, after changing the sale deed, has fraudulently got the mutation of 47 decimals of land in Khesra No. 71; whereas in Khesra No. 71, the remaining land was only 02 decimals.

After having heard learned Counsel for the parties and taking into consideration the fact that the dispute between the parties appears to be a civil dispute relating to mutation of a piece of land, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Ashok Kumar Sharma, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Dandkhora Police Station Case No. 102 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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