

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23513 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- CHANDAN District- Banka

PAPPU YADAV Son of Kaleshwar Yadav Resident of Village - Biraniya
(Biyahi More), P.S.-Chandan, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 08-07-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Chandan P.S. Case No. 72 of 2018**, instituted for the offence under Section(s) 467, 468 and 420 of Indian Penal Code.

It is alleged in the written report that Circle Inspector of Chandan Circle made forged paper and issued Land Possession Certificate in the name of petitioner with respect to land situated in *Mauza Birnia*, P.S. No. 170, *Khata No. 37*, *Khesra No. 164/552*, Area 1.90 acre which land was *Gairmajaurua Mokridar* type-forest land.

Supplementary affidavit has been filed on behalf of the petitioner wherein it is mentioned that he has got the aforesaid land through *Bandobasti* on 9.6.1968 (Annexure-4).



On the basis of aforesaid *Bandobasti*, he got the land by *Kabuliat* which was accepted by Annchal Adhikari, Banka, on 13.6.1977, copy of which has been enclosed as Annexure-5. It has further been stated that after obtaining the land by *Kabuliat* and *Hukumnama*, the petitioner came in possession over the land in question in the year 1980 and constructed *Kachha/Pakka* house on the said land. He is also living in the constructed *Kachha/Pakka* house with his whole family since 1980 and paying rent to the State Government. Photocopy of Rent Receipt has been enclosed as Annexure-6 of the supplementary affidavit.

Counsel for the petitioner submits that co-accused Nirmal Kumar Ray, who was Circle Inspector, has already been granted bail by coordinate Bench of this Court vide order dated 20.2.2019 passed in Cr. Misc. 6913 of 2019. It is a matter of civil dispute.

Petitioner is in custody since 29.12.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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, Banka, in connection with
Chandan P.S. Case No. 72 of 2018, subject to the condition
that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

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

