

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57402 of 2019

Arising Out of PS. Case No.-385 Year-2018 Thana- GHORASAHAN District- East
Champaran

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OM PRAKASH S/o Late Shyam Sundar Singh R/o village- Nawal Kishor
Nagar, Khabra, P.S.- Muzaffarpur Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Opposite Party/s : Mr.Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2019 Heard both sides.

The petitioner apprehends his arrest in Ghorasahan P.S. case No. 385/2018 registered under Section 467, 468, 471, 420, 387, 504, 506/120B of the IPC.

The informant, in sum and substance, alleged that her father-in-law, Radheshyam Lath, purchased 8 Katha 3 Dhur of land of Khata No. 211, Khesra No. 242 through two registered sale deeds dated 30.05.1956 and 26.04.1962 and came in possession. After death of her father-in-law his two sons, Pradip Kumar Lath and Pawan Kumar Lath, husband of the informant, came in possession. Her husband is of dull intellect and taking advantage of this fact Sudhakar Sharma with the help of Uday Jaiswal executed sale deed in favour of Uday Jaiswal. She further disclosed that father of Sudhakar Sharma and others filed Title Suit No. 220/1974 and the same was dismissed. First appeal and Second Appeal No. 479/1993 were also dismissed.

The learned counsel for the petitioner submits that petitioner is a witness of the sale deed. It was Sudhakar Sharma



who executed the sale deed in favour of Uday Jaiswal and petitioner is only identifier of executant of the sale deed. Similarly situated other accused persons have already been granted anticipatory bail.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner is only identifier of executant of the sale deed, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, East Champaran, Motihari in connection with Ghorasahan P.S. case No. 385/2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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