

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74353 of 2018

Arising Out of PS. Case No.-1484 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Mangal Rai, Son of Siyaram Rai, Resident of Village- Songhatta, P.S.-
Koilarwar, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chaneshwar Rai, Son of Dhan Lal Rai, Resident of Songhatta, P.S.-Koilarwar,
Dist.-Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-01-2019 Heard learned Counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 419, 420, 467, 468 and 120(B) of the Indian Penal Code.

The prosecution case as per the complainant, Chandeshwar Rai, is to the effect that co-accused Ram Narayan Rai @ Kariya Rai executed a sale deed with regard to ancestral land of the complainant in favour of Usha Complete Wire and Cable Private Limited. It is further alleged that when the



complainant went at the door of the petitioner, where he saw the petitioner and the co-accused Arvind Kumar Singh consuming liquor, when the co-accused Arvind Kumar Singh assaulted the complainant. It is further alleged that the petitioner Mangal Rai, co-accused Arvind Kumar Singh and Ram Narayan Rai are jointly doing the business of Real Estate.

It is submitted by learned counsel for the petitioner that neither the petitioner has executed the sale deed nor he is the purchaser of the land in question and the allegation of assault is against co-accused Arvind Kumar Singh. It is further submitted that co-accused, Ram Narayan Rai @ Kariya Rai who got the sale deed executed, has been granted privilege anticipatory bail by a Co-ordinate Bench of this Court vide order dated 23.05.2018 in Cr. Misc. No. 31421 of 2018.

Learned APP submits that after finding prima facie case, cognizance has been taken against the petitioner.

Considering the fact that the thrust of accusation is against the co-accused Arvind Kumar Singh and similarly situated co-accused, Ram Narayan Rai has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of



12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **ACJM-VI, Bhojpur at Ara** in connection with **Complaint Case No. 1484 (C) of 2017**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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