

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67196 of 2019

Arising Out of PS. Case No.-222 Year-2019 Thana- SUGAULI District- East Champaran

TULSI THAKUR Son of Late Laljharan Thakur Resident of Village - Dumri
Mahnawa, P.S.- Majhauriya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-12-2019 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sugauli P.S. Case No. 222 of 2019, GR No. 4057 of 2019 registered for the offence punishable under Sections 406, 420, 467, 468 and 471/34 of the Indian Penal Code.

The allegation is regarding the petitioner and one another having fraudulently acquired title of land by getting a sale deed in their favour as also getting the mutation done in their favour and thereafter, having fraudulently taken the compensation amount from the Government.

The learned counsel for the petitioner submits that the



alleged sale deed is said to have been executed in favour of the petitioner and one other person and the said land in question allegedly belongs to one Bipin Singh, but he has not come forward to allege any misdeed or fraud on the part of the petitioner. It is further submitted that if at all anyone is aggrieved, he has to approach the competent court having original civil jurisdiction, for annulment of the sale deed and the criminal case is not a proper remedy. It is further submitted that till the time, the sale deed exists in name of the petitioner, he is entitled to receive compensation for his land acquired by the Government. The petitioner is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, District-East Champaran in connection with Sugauli P.S. Case No. 222 of 2019, G.R.No. 4057 of 2019 subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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