

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54888 of 2018

Arising Out of PS. Case No.-385 Year-2014 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Naresh Prasad, S/o Late Ram Lagan Mahto @ Sulkhan Mahto, R/o Manua
Chandwara Sada Godown Chowk, P.S.- Town, Muzaffarpur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP
For the Informant : Mr. Shambhu Saran Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 21-01-2019 Heard learned counsel for the petitioner and learned

APP representing the State as well as learned counsel for the

informant.

Petitioner, in the present case, is seeking anticipatory

bail in connection with Town P.S. Case No. 385 of 2014

registered for the offences punishable under Sections 467, 468,

471 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that

pursuant to the previous order dated 28.09.2018 passed by a

learned coordinate Bench of this Court, the Senior

Superintendent of Police, Muzaffarpur has enquired into the

matter and submitted a report available at Flag- 'A'. In his



report, he has come to a conclusion that this petitioner happens to be the full brother of the informant. He has also reported that the informant wanted to deprive this petitioner from his paternal property and for that reason the father's name of this petitioner was got recorded in all the certificates as Raghuvir Mahto who happens to be Mausa of the informant. He has recommended for submission of final form showing that the case is false.

Learned counsel representing the informant has opposed the prayer for bail on the ground inter alia that the petitioner is accused in two other cases and then it is this petitioner who has created forged and fabricated document to claim the property of the informant. A supplementary affidavit has been filed on behalf of the petitioner in which he has stated that in two other cases lodged against him he is on bail.

Taking note of the aforementioned submissions and the report prima-facie available at Flag- 'A', this Court directs that in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Town P.S. Case No. 385 of 2014, subject to the



condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C. Prior to accepting the bail bond the court below shall look into the bail order passed in the two cases i.e. Kotwali P.S. Case No.10 of 1990 and Bela P.S. Case No.20 of 2008.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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