

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7601 of 2020**

Arising Out of PS. Case No.-141 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Baidhnath Roy, S/o Late Bhodan Roy, Resident of- Bishanpur Diara, P.S.-
Balua, District- Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shashi Shekhar Rai, S/o Sri Ram Rai, Resident of- Lathina, P.S.- Shambho,
District- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 08-07-2020 Since as of now the Courts have not resumed normal

physical hearing, the matter has been listed today for

consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.0141 C of 2015 registered for the
offence punishable under Sections 467, 468, 120B and 34 of the



Indian Penal Code.

The prosecution case alleges that the petitioner has sold ancestral lands of the complainant by executing a forged deed.

Learned counsel for the petitioner submits that in the present case, the questions of title have been raised and the prosecution is based on rival claims to the lands in question raising a predominantly civil dispute.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions and the fact that the petitioner has no criminal antecedents, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Sri Amit Anand, Judicial Magistrate 1st Class-cum-Additional Chief Judicial Magistrate-1st, Begusarai, in connection with Complaint Case No.0141 C of 2015, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure



as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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