

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19660 of 2020

Arising Out of PS. Case No.-352 Year-2012 Thana- ARA NAGAR District- Bhojpur

Shiv Bihari Singh Son of Jagat Narayan Singh, R/o Village- Piparahiya, P.S.-
Ara Muffasil, District- Bhojpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 16-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State through Video Conferencing.

In this case, the petitioner is seeking anticipatory bail in connection with Ara Town P.S. Case No. 352 of 2012 registered for offence punishable under sections 419, 420, 467, 468, 471, 120(B) of the Indian Penal Code.

Allegation has been made that the petitioner and others have become bailors of Dilsad Munir Sheikh in connection with Udwanthnagar P.S. Case No. 176 of 2012. Before acceptance of the bail, the document was sent to the Circle Officer, who examined the records and found that the record, which has been placed by the bailors, is a forged document.

Counsel for the petitioner submits, paragraph 5 of case diary shows the name of petitioner has been recorded in the Register II and got the rent receipt till date and he has submitted that documents are genuine but paragraph 162 of case diary show,



the police found sufficient material against the petitioner.

Looking to the facts and circumstances of the case, for the present, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders before the court below and prays for regular bail, the court below will call the records concerning the claim made by the petitioner to be owner of the land and if it is found that the genuine document has been placed by the petitioner, the court below without being prejudiced by this order will take decision in accordance with law, preferably on the same day.

(Shivaji Pandey, J)

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