

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17897 of 2020

Arising Out of PS. Case No.-2080 Year-2011 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

Mahendra Prasad @ Mahindra Prasad Son of Late Baleshwar Prasad Resident
of Village- Kolhua Paigamberpur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hadish Mian S/o Razzak Mian Resident of Village- Kurseda, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Smt. Sangeeta Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 22-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case No.2080 of 2011, wherein cognizance has
been taken under sections 420, 467, 468 and 120B Indian Penal
Code.

As per allegation in the complaint, it is stated that
the accused persons with the intention to usurp the immovable
property belonging to the complainant entered into a criminal
conspiracy and got a forged deed prepared and executed by
Rasidan Khatoon who did not have exclusive title over the land.



It is submitted by learned counsel for the petitioner that a supplementary affidavit has been filed wherein it has been stated that although after taking cognizance summons were issued in the year 2012, however, bailable warrant and thereafter non-bailable warrant was issued only in July, 2019. It was only thereafter that the petitioner came to know about the pendency of the case. It is further submitted that so far as the petitioner is concerned he is only a deed writer and has no concern with the land in question or with the dispute between the parties. He is not a beneficiary in any manner.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner and the nature of the allegations as contained in the complaint, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 2080 of 2011 (Trial No. 922 of 2018) he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate, 1st Class,
Muzaffapur, subject to the conditions as laid down in section
438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

