

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30267 of 2020

Arising Out of PS. Case No.-298 Year-2019 Thana- SHEKHPURA District- Sheikhpura

1. SARYUG MAHTO Son of Late Budhan Mahto Resident of Mohalla- Bigha Jamalpur, P.S. and District- Sheikhpura.
2. Vikash Kumar Son of Saryug Mahto Resident of Mohalla- Bigha Jamalpur, P.S. and District- Sheikhpura, wrongly mentioned in body of F.I.R. as Village- Pathraita, P.S. and District- Sheikhpura although correct address mentioned in written report as Mohalla- Bigha Par, P.S. and District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.



The application is dismissed as withdrawn in respect of petitioner no. 1.

Heard learned counsel for the petitioner no. 2 and learned APP for the State.

The petitioner no. 2 is apprehending his arrest in a case registered under Sections 420, 423, 467, 468, 471, 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons by producing fake person had executed sale deed.

It has been submitted on behalf of the petitioner no. 2 he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 2. The petitioner no. 2 is said to be witness of the sale deed in question. The matter relates to civil dispute. The petitioner had no intention for causing any wrongful gain or wrongful loss.

On behalf of the State, it is submitted that the petitioner no. 2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 2, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 298/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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