

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82566 of 2019

Arising Out of PS. Case No.-473 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

ROZID MIYAN @ ROZID S/o Safayat R/o Village- Mukeri Tola Bheria,
P.S.- Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

This is an application for grant of anticipatory bail in connection with Gopalganj Town P.S. Case No. 473 of 2018, registered for the offence punishable under Sections 420, 467, 468, 469, 470 and 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner having fraudulently sold the land of the informant to some other persons.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he is having a clean antecedent. It is submitted that mutation has also been carried out after execution of the sale deed. Lastly, it is submitted that the dispute in question can at best be said to be a dispute of civil nature, hence, no criminal offence is made out.



It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by coordinate Bench of this Court vide order dated 5.9.2019 passed in Criminal Miscellaneous No. 56326 of 2019.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, as also taking into account the parity of the case of the petitioner with those of the co-accused persons, who have already been granted anticipatory bail by the coordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 473 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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