

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1227 of 2021**

Arising Out of PS. Case No.-94 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Suman Charlie Son of Late Girija Nand Singh Resident of Village - Charlie Chaman, G.C. Banaerjee Road Mundi Chak, Bhagalpur, P.O.- Head PO- Tilka Manjhi, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Madhav Krishna
For the State	:	Mr. Chandra Bhushan Prasad
For the Informant	:	Dr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 28-02-2022 Heard learned counsel for the petitioner, informant and learned APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 406, 420, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner's father during his life time sold some shops situated on the land in question being land owner.



He submits that after lapse of more than 18 months of executing of the said sale deed, the informant lodged an FIR and such delay creates doubt on the genuineness of the case. He submits that without following the procedure, proceeding u/s 82/83 Cr.P.C. has been initiated before filing of the present application. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State and informant oppose the prayer for bail and submits that the proceeding under Section 82/83 Cr.P.C. has been initiated much before filing of the present application.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Kotwali (Tilkamanjhi) P.S. Case No. 94 of 2018 pending before the court of the learned Chief Judicial Magistrate, Bhagalpur.

(Anjani Kumar Sharan, J)

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