

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46470 of 2022

Arising Out of PS. Case No.-1038 Year-2019 Thana- MADHEPURA District- Madhepura

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NAGO MANDAL @ NAGESHWAR MANDAL Son of Bhagwat Mandal
R/o village - Tulsi Bari Tola - Sadhua, P.S.- Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sanjeev Kumar Srivastava Son of Late Lala Prasad R/o Mohalla -
Lakshmipur, Ward No.- 17, P.S.- Madhepura, District - Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Madhepura P.S. Case No.1038 of 2019 instituted under
Sections 147, 148, 149, 447, 420, 467, 471, 468, 384, 386 of the
Indian Penal Code.

As per the prosecution story, the allegation is that the
accused persons prepared forged document and tried to cheat the
innocent people and the informant came to know about it when
some 'Karpardar' started measuring his paddy field. Upon
inquiry, one Pintu Yadav stated that the land has been purchased



by Sanjeev Kumar and from whom he has taken it on agreement. Thereafter, he went to registry office where it was found that number of pages are missing. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that in the entire voluminous FIR, there is nothing against him save and except that his name has come up in the accused list. It is his last submission that Pintu Yadav, the accused whose name has prominently figured in the FIR has since been granted anticipatory bail vide Cr. Misc. No.24606 of 2021 on 25.05.2022.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the aforesaid fact that there is no allegation in the FIR against him, Pintu Yadav has since been granted relief, as stated above, he do not have criminal antecedent, this Court is inclined to grant him anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Madhepura



P.S. Case No.1038 of 2019 to the satisfaction of learned Judicial
Magistrate, Ist Class, Madhepura, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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