

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57230 of 2023

Arising Out of PS. Case No.-276 Year-2015 Thana- COMPLAINT CASE District- Sheohar

Krishndev Upadhyay @ Krishna Upadhyay Son Of Chandradeep Upadhyay
Resident Of Village - Mahuariya, Police Station - Sheohar, District - Sheohar

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Chandradeep Upadhyay Son Of Late Jagadish Upadhyay Resident Of Village - Mahuariya, Police Station - Sheohar, District - Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 28-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Complaint Case No. C1-276/2015, T.R. No. 705/17 dated 14.08.2015 registered for the offences punishable under Sections 420, 467 and 468 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are the son of the complainant who taking undue advantage sold her land by showing her as deceased. It is



further submitted that on being asked by the complainant, they also assaulted her.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is a case of civil nature. Learned counsel has further submitted all the accused persons are family members of the complainant. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sheohar in connection with Complaint Case No. C1-276/2015, T.R. No. 705/17, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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