

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21540 of 2023

Arising Out of PS. Case No.-507 Year-2015 Thana- MOTIHARI TOWN District- East
Champaran

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Nipu Kumar Son Of Ram Chandra Sah Resident Of Village - Raghunathpur,
P.S.- Turkauliya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 06-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner filed a jointness petition on 26.09.2023 stating therein that opposite party no. 2 is residing with her husband in her matrimonial house and the notice was received by the husband of opposite party no. 2. Therefore, the notice is treated as validly served upon opposite party no. 2.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

4. As per the prosecution case, informant alleged that the petitioner along with other co-accused persons have sold a piece of land to the informant, later on they sold the same land to another person. The petitioner is said to be the witness in the



registered sale deed.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is only witness in the registered sale deed. He further submits that it is a civil dispute between the parties. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and the fact that it is a civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Motihari Town P.S. Case No. 507 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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