

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46621 of 2024

Arising Out of PS. Case No.-315 Year-2014 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Bishambhar Bhagat S/O Late Kapildeo Bhagat R/O Village- Kazi
Mohamadpur, P.S- Paroo, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Most. Nagina Kunwar W/O Late Sukdeo Bhagat R/O Village- Kazi
Mohamadpur, P.S- Paroo, Distt.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 13-08-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for
the offence punishable under Section 420 of the Indian Penal
Code.
3. As per the prosecution case, this petitioner got
fraudulently executed sale deed in his favour by the
complainant.
4. Learned counsel for the petitioner submits that
petitioner and opposite party No. 2 are agnates and husband of
opposite party No. 2 after taking money from father of the
petitioner executed sale deed in favour of petitioner on
17.06.1986. However, opposite party No. 2 after death of her
husband file Mutation Case No. 59/12-13 in court of DCLR,



Muzaffarpur (West) with an ulterior motive and the same is pending for consideration. He next submits that petitioner has nothing to do with the instant case. Neither he had any talk with opposite party No. 2 nor any paper was prepared in his favour. Petitioner has been made accused in this case only with a view to harass and humiliate him. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Muzaffarpur in connection with Complaint Case No. 315 of 2014, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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