

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17358 of 2015

Arising Out of PS.Case No. -623 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Saurabh Kumar Singh @ Moni son of Phulendra Prasad Singh
2. Jitendra Thakur, Son of Late Rajgir Thakur,
3. Ranjeet Kumar Thakur, Son of Late Chandra Narayan Thakur,
4. Amit Kumar Thakur @ Guddu, Son of Late Birendra Thakur @ Lakhan
Singh, All are Resident of Village- Barahsher, P.S.- Bihra, District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Most. Baidehi Devi wife of Dinesh Thakur, Resident of Village-
Barahsher, P.S.- Bihra, District Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Adv
For the Opposite Party/s : Mr. S.N.Shukla (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 25-06-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offence punishable under Section-420 of the Indian Penal Code and the admitted position that the son of the complainant had executed registered deed of sale in favour of the petitioners, the dispute basically will be one of civil nature.

Considering this aspect as also taking into account that the petitioners have also got no criminal antecedent,



would direct that if the petitioners namely, **Saurabh Kumar Singh, Jitendra Thakur, Ranjeet Kumar Thakur and Amit Kumar Thakur** surrender within a period of four weeks from today, they would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Judicial Magistrate IInd Class, Saharsa** in connection with **Complaint Case No. 623C of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close relative of the petitioners who will give an affidavit giving genealogy as to how they are

related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(iii) That the bailors shall also state on affidavit that they will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of their bail on the ground of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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