

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33715 of 2015

Arising Out of PS.Case No. -33 Year- 2014 Thana -BUXAR District- BUXAR

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1. Gajadhar Pathak s/o Late Hari Pathak
 2. Jitendra Pathak s/o Gajadhar Pathak
 3. Sanjay Pathak s/o Gajadhar Pathak
 4. Pradeep pathak S/o Ram Kesri Pathak All resident of village-jaso, P.S.- Buxar (Mufassil, Distict-Buxarr
 5. Mangal Bihari Rai S/O Late Gajadhar Rai, Resident of village - Araila, P.S. -Dumraon , Distict- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-08-2015 Heard learned counsels for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that Title Suit No. 72 of 2008 is pending between the informant and the petitioners wherein the petitioners filed an application for permission to sale certain lands but without any permission being granted by the Court concerned the sale deed was executed wrongly incorporating in the sale deed that necessary permission has been granted by the Court.

It is submitted by learned counsel for the

petitioner that application for permission was filed before the concerned Court where the informant filed a petition to the effect that informant's side have no objection with regard to the execution of sale deed.

It is submitted by learned counsel for the informant that never any permission was granted and a wrong fact was incorporated in the sale deed.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that title suit is still pending where all these issues can be raised by the informant and the petitioners having no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (T) P.S. Case No. 33 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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