

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32357 of 2015

Arising Out of PS.Case No. -165 Year- 2014 Thana -NAUGACHIA District- BHAGALPUR

- =====
1. Shrikant Kumar, Son of Shankar Prasad Sah.
 2. Smt. Mita Devi, Wife of Manoj Kumar Sah.
 3. Manoj Kumar Sah, Son of Shankar Prasad Sah.
- All are resident of Mohalla-Goshala Road, Naugachia, Police Station-
Naugachai, District-Bhagalpur.
4. Arvind Kumar, Son of Ramdhari Bhagat, resident of Mohalla-Rajendra
Colony, Naugachia, Police Station-Naugachia, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. T. P. Mandal (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 13-08-2015 Heard learned counsel for the petitioners and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Naugachia P.S. Case No. 165 of 2014,
disclosing offences under Sections 341, 323, 448, 420, 471,
467 and 468/34 of the Indian Penal Code.



Petitioner nos. 1 and 2 are said to be the purchasers of a piece of land through a sale-deed executed by one Sudhir Sharma, who was power of attorney holder of the land owner. The informant is the purchaser from the land owner of the sale-deed, executed on 30/01/2014. Petitioner no. 3 is the husband of petitioner no. 2 and there is no specific allegation against him so far, the present transaction is concerned. Petitioner no. 4 is not related to other petitioners and it is his case that he has been falsely implicated in the present case.

Learned counsel appearing on behalf of the petitioners has submitted that admittedly, the sale-deed was executed in favour of the petitioner nos. 1 and 2 by the power of attorney holder on 09/12/2011. Learned counsel for the petitioners contends that said Sudhir Sharma has already been granted anticipatory bail by this Court vide an order dated 06/05/2015, passed in Cr. Misc. No. 12273 of 2015. He further contends that the dispute between the parties is purely civil in nature and the petitioners have been falsely dragged in the present criminal case.

Be that as it may be, in the facts and circumstances of the case, this application is allowed. Let

the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, Naugachia, District-Bhagalpur** in connection with **Naugachia P.S. Case No. 165 of 2014**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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