

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43974 of 2015

Arising Out of PS.Case No. -188 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Yogendra Prasad Singh son of Late Nagdeo Singh @ Naga Singh.
2. Satish Kumar Singh son of Yogendra Prasad Singh. Both resident of village Karma, Police Station- Jamhore, District- Aurangabad at present Sri Ram Bhawan, Thakurbari Road, Police Station- Nagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlendra Pd. Singh
For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 13-10-2015 Heard the Counsel for the petitioner and Mr. Surendra Kumar Singh, APP for the State.

The petitioners are father and son and seek anticipatory bail in Aurangabad Town P.S. Case No. 188 of 2015 registered under Sections 420, 379, 467, 468, 471, 472/34 of the Indian Penal Code.

The informant is full brother of petitioner no. 1. It is alleged that in his absence, one son of petitioner no. 1 namely Pankaj Kumar Singh broke the lock of the house and entered and thereafter committed theft of the jewellery and papers kept in Almirah. Subsequently, he forged signature of the son of the informant and prepared an agreement to sell and received certain

amounts from one Sudhir Kumar who is also related to the informant as well as the petitioners.

The contention of the petitioners is that whatever allegations levelled by the informant are against Pankaj Kumar Singh, one another son of the petitioner no. 1. In fact, it is a land dispute with regard to the property.

Mr. Singh, learned APP, on going through the F.I.R. has not disputed the contention of the petitioners that allegation is attributed to one Pankaj Kumar Singh and only a general allegation has been levelled that in connivance with the petitioners herein, such occurrence was committed.

Considering the facts and circumstances of the case, I direct that in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to 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, Aurangabad in Town P.S. Case No. 188 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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