

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41179 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -BANGAON District- SAHARSA

1. Santosh Pd. Gupta, Son of Late Bhubneshwar Pd. Gupta
2. Bishwanath Pd. Gupta Son of Late Bhubneshwar Pd. Gupta
3. Naresh Pd. Gupta Son of Late Bhubneshwar Pd. Gupta
4. Rajan Kumar Gupta @ Rajan Gupta Son of Naresh Pd. Gupta All
resident of village- Barahayi Bazar, P.S.- Bangaon, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.46104 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -BANGAON District- SAHARSA

1. Amit Kumar Gupta Son of Suresh Prasad Gupta,
2. Ganesh Kumar Gupta, Son of Bishwanath Pd. Gupta,
3. Vikki Kumar Gupta, Son of Bishwanath Pd. Gupta,
4. Rajkishori Devi, Wife of Suresh Prasad Gupta,
5. Chandra Kishore Gupta, Son of Late Bhubneshwar Pd. Gupta,
6. Suresh Pd. Gupta, Son of Late Bhubneshwar Pd. Gupta,
7. Pankaj Kumar Gupta @ Pankaj Prasad Gupta, Son of Naresh Prasad
Gupta, All resident of village - Barahayi Bazar, P.S. - Bangaon, District
- Sahara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.41179 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

(In Cr.Misc. No.46104 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 02-11-2015

Petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 419,
420, 471, 472, 474, 120B of the Indian Penal Code.

The prosecution case is that the informant

purchased a land in the village Bangaon under Thana No. 137, Touji No. 3523, 3526, Khata No. 1415, Khesra No. 3002 from one Yadu Sah through registered sale deed, whereas these petitioners got a forged purcha created vide Purcha Case No. 23/76-77 with regard to the purchased land of the informant.

It is submitted by learned counsel for the petitioners that in pursuance to the issuance of purcha the petitioners were paying rent of the land in question since long.

It is submitted by learned counsel for the informant that on enquiry made by the I.O., the Circle Officer replied that no such purcha was issued in Purcha Case No. 23/76-77 in favour of the petitioners. Moreover petitioner Nos. 1 and 3 of Cr. Misc. No. 41179 of 2015 namely Santosh Prasad Gupta and Naresh Prasad Gupta and petitioner No. 5 of Cr. Misc. No. 46104 of 2015 namely Chandra Kishore Gupta have not made correct statements about their criminal antecedents.

Let learned Court below consider the prayer for regular bail of petitioner Nos. 1 and 3 of Cr. Misc. No. 41179 of 2015 namely Santosh Prasad Gupta and Naresh Prasad Gupta and petitioner No. 5 of Cr. Misc. No. 46104 of 2015 namely Chandra Kishore Gupta, if they surrenders within a period of six weeks in connection with Bangaon P.S. Case No. 104 of 2014, pending in the Court of learned Chief Judicial Magistrate, Saharsa.

Accordingly the applications with regard to

petitioner Nos. 1 and 3 of Cr. Misc. No. 41179 of 2015 namely Santosh Prasad Gupta and Naresh Prasad Gupta and petitioner No. 5 of Cr. Misc. No. 46104 of 2015 namely Chandra Kishore Gupta stand disposed of.

Considering the nature of dispute when petitioners claimed to have been depositing the rent of the land in question, let the petitioners, above named, except petitioner Nos. 1 and 3 of Cr. Misc. No. 41179 of 2015 namely Santosh Prasad Gupta and Naresh Prasad Gupta and petitioner No. 5 of Cr. Misc. No. 46104 of 2015 namely Chandra Kishore Gupta, 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, Saharsa in connection with Bangaon P.S. Case No. 104 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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