

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45993 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -MORKAHI District- KHAGARIA

=====

1. Raj Kishore Singh S/O Sri Ram Surat Singh
2. Dilip Paswan S/O Suresh Paswan, Both resident of Village- Icharua, P.S.-
Alauli, District- Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Abhoy Kumar Kashyap

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 03-11-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 323, 420, 406, 467, 468 and 469 of the Indian Penal Code and that the petitioners are purchasers of a piece of land which is said to have been conveyed to them on the basis of some fictitious person executing sale deed, this Court by taking into account that the case not only gives out and out a look of civil dispute but also that the responsibility, if any, for setting up of fictitious person for executing sale deed would lie on Md. Sohel and that the petitioners are only the purchasers, it would by taking into account that the petitioners have also got no criminal antecedent direct that if the petitioners, namely, Raj Kishore Singh and Dilip Paswan, surrender before the court below within a period of four weeks from today, they shall 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 the Chief Judicial Magistrate, Khagaria in Morkahi P.S.Case No. 55/2015, 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 a 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 bailor shall also state on affidavit that he 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 bail on the ground of misuse.

(iv) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do

so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(v) 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)

surendra/-

U			
---	--	--	--