

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49212 of 2015

Arising Out of PS.Case No. -280 Year- 2015 Thana -BUXAR District- BUXAR

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1. Sanjay Ram @ Sanjay Kumar
 2. Satendra Ram @ Satendra Kumar Both sons of Rameshwar Ram R/o vill. - Barki Kothiya, P.S. Buxar (T), District - Buxar
 3. Baban Ram @ Baban Prasad S/o Late Saryu Ram R/o vill. - Pandepur, P.S. Simri, Distt. - Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey
For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-11-2015 Heard both sides.

Petitioners apprehend their arrest in connection with Buxar (Town) P.S. case no. 280 of 2015, registered under Sections 420, 467, 468 and 471, 379 and 120B/34 of the IPC.

The prosecution case in short is that the informant was away from her native house and visited the village after a long time, to find that her agnates had created a forged power of attorney in favour of the co-accused Kanhiaya Pandey who sold the property in favour of the petitioner no.3 who was found residing in the dwelling structure on the land.

Contention of the petitioner is that a Title Suit is



going on from before between the maker of the power of attorney and family of the informant. The property was, in fact, recorded in the joint names of Ram Chanar Ram, Sheo Chanar Ram, Most. Kaushalya Devi and Rita Devi. Considering the civil nature of the dispute the other co accuseds of this case have been released on anticipatory bail by this Court. He referred in this regard to order dated 07.10.2015 passed in Cr. Misc. no. 40737 of 2015 and the order dated 13.10.2015 passed in Cr. Misc no. 42014 of 2015.

Considering the accusation and the fact that some of the co-accuseds have been privileged with anticipatory bail, this Court is inclined to extend the privilege of anticipatory bail to the petitioners. Let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Buxar (Town) P.S. case no. 280 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioner.



(ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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