

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51642 of 2015

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1. Sagar Devi, w/o Bindesri Bhagat @ Bindeshwari Bhagat.
 2. Bindesri Bhagat @ Bindeshwari Bhagat, S/o Late Bhola Bhagat.
- Both resident of village-Kashi Pakri, P.S.-Rajepur, District-East
Champanan. Petitioners

Versus

1. The State of Bihar
2. Laxman Prasad, S/o Late Ramadhar Prasad of village-Maripur Tola
Garahiya, P.S.-Madhuban, Dist.-East Champanan.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliari, Advocate

For the Opposite Party/s : Mr. Pradip Nr. Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-11-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Tr. No. 5638 of 2014 arising out of Complaint Case No.
1778C of 2006 registered under Sections 420, 423, 465, 471,
379, 330 and 504 of the Indian Penal Code.

It is contended that the dispute, if any, is of civil
nature. Till date, the complainant has not taken any step in
respect of cancellation of sale deed. He has not even filed any

civil suit for any sort of relief in respect of land in question. The further contention is that the complaint has been filed in September, 2006 and summons were issued on 15th March, 2007, but the petitioners did not receive the same and there is no service report on the record and when the police reached at village to arrest them only then they could know about the filing of the present case.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Sadar Motihari, East Champaran in connection with Tr. No. 5638 of 2014 arising out of Complaint Case No. 1778C of 2006 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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