

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9982 of 2015

Arising Out of PS.Case No. -171 Year- 2014 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Shiv Pujan Yadav S/o Bharat Yadav
 2. Rajendra Singh S/o Late Harnam Singh Both of Vill- Satha Dhani tola,
P.S.- Paharpur, Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sheela Devi, wife of Hari Prasad of Village Satha Dubey Tola, P.S.
Paharpur, District East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
For the State : Mr. Anita Kumari(App)
For O.P. No.2 : Surendra Kishore Thakur, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 30-07-2015 Heard the parties.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 420, 467 and 468/34 of the Indian Penal Code and.

Allegation has been made in the First Information Report that husband of the informant is addiction alcohol having bad company of these petitioners. These petitioners taking benefit of their addiction, fraudulently got land executed in their favour.

Learned counsel for the petitioners submits that it is husband of the informant who has executed the sale deed,

there he has shown himself to be a guardian of his son. It is basically a civil suit but wrongly it has been given a colour of criminal case. At the same time petitioners undertake that they will not cultivate the land, will not claim possession nor will create any right to the third party, by sale, mortgage and lease during pendency of the criminal case.

Learned counsel for the informant submits that informant would file a civil case for cancellation of sale deed.

In view of the undertaking of the petitioners, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Shiv Pujan Yadav and Rajendra Singh, be released on anticipatory 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No.171 of 2014, G.R. No. 3772 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure.

Vinay/-

(Shivaji Pandey, J)

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