

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23474 of 2016

Arising Out of PS.Case No. -191 Year- 2015 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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1. Ranjit Kumar Pandey @ Ranjit Pandey
2. Amarjit Pandey Both sons of Sri Bishwanath Pandey R/o Villge- Dighra
Rampur sah PS Sadar distt Muzaffapur.

.... Petitioners

Versus

1. The State of Bihar.
2. Dr. Nand Kishore Pd. Singh, S/o late Vidyapati Singh, R/o Mohalla-
Uttardah, Kochhi, Pakki Road PS Sadar Distt Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Jai Prakash Verma, Advocate.
For the Opposite Parties : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-08-2016 Heard both sides.

The petitioners apprehend their arrest in Sadar P.S.
Case No. 191 of 2015 arising out of Complaint Case No. 675 of
2015 registered for the offences punishable under Sections 120B,
420, 406, 467, 468 and 471 of the Indian Penal Code.

Dr. Nand Kishore Pd. Singh filed a Complaint Case No.
675 of 2015, on the basis of which the present FIR was lodged.
The informant named eight accused persons in the complaint
petition including the petitioners and alleged that they have all
came talk to sale a piece of land standing in the name of
Bishwanath Pandey. The informant paid Rs. 11,25,000/- and the
sale deed with regard to 1 acre 51 decimal was executed, but later

on the informant came to know that Bishwanath Pandey has already executed the sale deed of the same land in favour of other persons.

Learned counsel for the petitioners submits that the petitioners did not receive any money. The petitioners are witnesses of the sale deed and identifier of the executant to the sale deed. Similarly situated co-accused Shambhu Chaudhary, Binod Kumar Chaudhary @ Vinod Chaudhary and Pramod Chaudhary have already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 38222 of 2015.

On the other hand, Shri Anjani Kumar Singh, learned counsel appearing on behalf of the informant as well as the learned APP vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners are son of the executant of the sale deed.

It appears that the money was given to the executant of the sale deed and the same has also been scribed on the sale deed and the petitioners are witnesses of the sale deed and identifier of the executant to the sale deed. The petitioners did not receive any money.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the court

below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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, Muzaffarpur in Sadar P.S. Case No. 191 of 2015 arising out of Complaint Case No. 675 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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