

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14674 of 2016

Arising Out of PS.Case No. -225 Year- 2015 Thana -BARAHRIA District- SIWAN

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1. Sanjay Kumar Bharti son of Sita Ram Bharti
2. Mahidhara Nand Bharti Son of Sita Ram Bharti both resident of village-
Pokhar Mathia, P.S.- Maharajganj, District- Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. P.K. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioners and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Barahria P.S. Case No. 225/2015, disclosing offences under sections 467, 468, 420, 406, 471/34 of the Indian Penal Code.

The petitioners are said to have sold a piece of land through registered sale deed in favour of one Ramakant Singh, who subsequently executed the sale deed with respect to the same land on 2.1.2015 in favour of the informant. The informant Bishwanath Prasad has alleged that the petitioners had fraudulently sold the said land to Ramakant Singh beyond their share in the property.

Learned counsel for the petitioners has submitted that no

dispute was ever raised when the petitioners had executed sale deed in favour of Ramakant Singh and the informant cannot have any grievance for execution of the sale deed by him in favour of Ramakant Singh. He further submits that it is purely a civil dispute, which is being given colour of a criminal case.

Considering the nature of dispute between the parties, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, 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, Siwan in Barahria P.S.Case No. 225/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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