

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19020 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI

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1. Sita Ram Yadav, Son of Late Bhushan Yadav, resident of Village- Khajauli, P.S.- Khajauli, District-Madhubani.
 2. Sita Ram Mahto, Son of Prem Mahto, resident of Village- Kanhauli, P.S.- Khajauli, District-Madhubani. Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kr. Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 10-05-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Madhubani (Town) P.S. Case No. 42 of 2016, G.R. No. 256 of 2016, disclosing offences under Sections 406, 420, 467, 468, 471 and 120B/34 of the Indian Penal Code.

The informant is father of one Rakesh Kumar. Said Rakesh Kumar is in jail after having been convicted in a case under Section 302 of the Indian Penal Code.

It is alleged that said Rakesh Kumar is mentally sick and taking advantage of this situation, the petitioners got a forged sale deed executed by him in their favour, with respect to a piece of land measuring 07 Katha and 05 Dhurs.

Learned counsel appearing on behalf of the petitioners has submitted that said Rakesh Kumar had executed the sale deed

after taking due permission from the Jail authorities. He has submitted that the petitioners have no criminal antecedent and there is no likelihood that they would be fleeing from the course of investigation or trial.

Considering the nature of allegation and the submissions advanced on behalf of the petitioners, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani (Town) P.S. Case No. 42 of 2016, G.R. No. 256 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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)

Vats/-

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