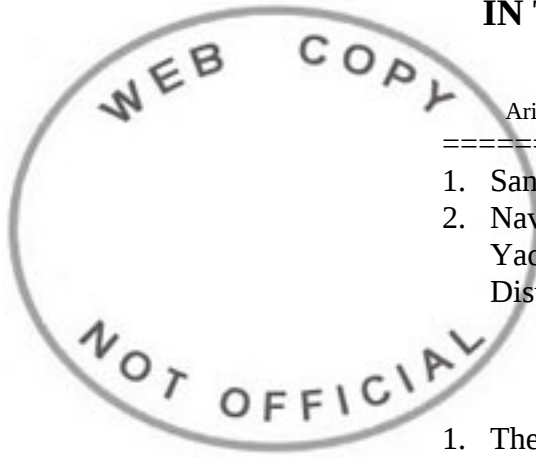




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58025 of 2015

Arising Out of PS.Case No. -500 Year- 2015 Thana -KHAGARIA District- KHAGARIA

- =====
1. Sanjay Kumar
 2. Navin Kumar, Both Sons of S/o Sri Vijendra Yadav @ Virendra Yadav, Resident of Mohalla - Hajipur, Ward No. 12, P.O. / P.S. - District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Chandra
For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 467, 468, 471, 420, 120B of the Indian Penal Code.

The prosecution case is that the informant claiming himself to be the registered general power of attorney holder of one Sureshwar Prasad Singh but some of the land of the original land holder Sureshwar Prasad Singh was transferred by the petitioners impersonating Pratap Singh and Prakash Singh, sons of original power of attorney holder Sureshwar Prasad Singh.

It is submitted by learned counsel for the petitioners that there is nothing on record to suggest that



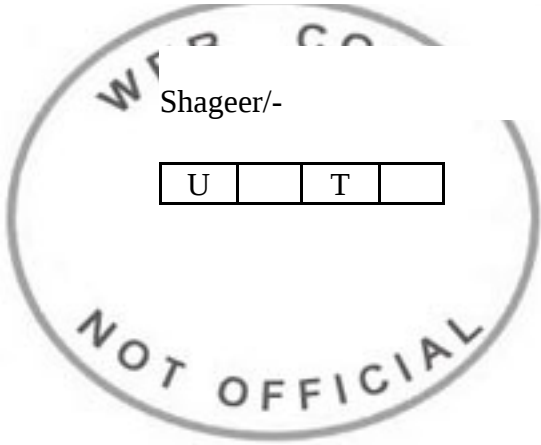
petitioners executed the sale deed. The land was purchased by Murari Kumar from the sons of original land holder Sureshwar Prasad Singh and both the sons of original land holder namely Pratap Singh and Prakash Singh who reside abroad, came for executing the sale deed. Their travel documents have been brought on record. They subsequently intimated to the Superintendent of Police, Khagaria that it is the informant who is impersonating the properties. Moreover the sale deed was executed on 20.11.2013, whereas the present case was registered on 27.07.2015.

It is submitted by learned counsel for the informant that it was these petitioners who impersonated Pratap Singh and Prakash Singh and executed the sale deed and these petitioners have actually sold the land for which power of attorney was executed in favour of the informant by the original land holder.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the nature of dispute and the petitioners having no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No.

500 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)