

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58539 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -BIHRA District- SAHARSA

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1. BALRAM YADAV @ BALRAM PD. YADAV & ORS Son of Late Rasik Yadav
 2. Bishesri Devi wife of Late Mohan @ Mahendra Yadav
 3. yogan Yadav @ Jogan Yadav Son of of Late Anup Yadav
 4. Lukhiya Devi @ Lakhiya Devi Wife of Late Ramji Yadav
 5. Dharendra Yadav Son of Jagdish Yadav
 6. jagdish Yadav Son of Lae Mogal Yadav
 7. Dinesh Yadav @ Dinesh Prasad Yadav Son of Late Ramghuni Yadav All are residents of village - Bishanpur Police Station Bihra Distt Saharsha

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-01-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Bihra P.S. Case No. 113 of 2015, disclosing offences under Sections 420, 467, 468, 471 of the Indian Penal Code.

Complaint petition filed before the Court of learned Chief Judicial Magistrate is the basis for institution of the First Information Report under Section 156(3) of the Code of Criminal Procedure. Allegedly the petitioners No. 1 and 2 are said to have fraudulently transferred a piece of land in favour of petitioners

No.3 and 4, without title. It has been alleged in the complaint case that the said land in fact belongs to the informant who had purchased it from Nirdhariya Devi, a sharer in the land.

Learned counsel for the petitioners prima facie, appears to be right in his submission that this case arises out of a civil dispute between the parties.

Accordingly, this application is allowed. Let petitioners above named, in the event of their arrest or 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, Saharsa in Bihra P.S. Case No. 113 of 2015, 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)

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