

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48107 of 2016

Arising Out of PS.Case No. -767 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Lal Babu Singh Son of Sri Ram Uday Singh
2. Raj Narayan Singh son of Late Mehin Singh
3. Ashok Singh Son of Late Lukho Singh All Resident of Village -Ramdiri,
P.S- Matihani, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Arun Kumar APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-12-2016

Heard both sides.

The three petitioners herein pray for anticipatory bail in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 767 of 2015, registered under Sections 420, 468, and 120(B) of the IPC.

Initially, a complaint was lodged which was later treated as an First Information Report (FIR). The informant alleged that the petitioners who are related to each other had agreed to sale their land in favour of the complainant-informant and the consideration amount was paid whereafter three sale deeds were also prepared but the petitioners refused to execute the sale deeds.



It is submitted that actually the entire consideration money was not paid to the petitioners. Hence, they did not execute the sale deed. The petitioner nos. 1 and 2 have clean antecedents whereas petitioner no.3 has few criminal cases to his credit.

Counsel for the State has pointed out that the petitioner no.3 is accused of few cases.

Considering the fact that the petitioner nos. 1 and 2 have no criminal records, I am persuaded to extend them the privilege of anticipatory bail. Let the petitioner Nos. 1 and 2, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria, in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 767 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in



such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

So far as the petitioner no.3, namely, Ashok Singh is concerned, his prayer for anticipatory bail is rejected.

(Kishore Kumar Mandal, J)

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