

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8479 of 2016

Arising Out of PS.Case No. -48 Year- 2015 Thana -PUSA District- SAMASTIPUR

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1. Ram Prakash Singh Son of Late Hala Singh
 2. Mahendra Paswan Son of Late Ram Swaroop Paswan
- Both are resident of village - Morsand, P.S. Pusa, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
For the State	:	Mr. Shailendra Kumar No.2 (App)
For Opp. Party No. 2	:	Mr. Pancham Lal Jaiswal, Adv.
		Mr. Rajiv Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in a case instituted under Sections 341, 323, 419, 420, 468 of Indian Penal Code, arising initially from a complaint case.

The complainant stated that earlier he sold some land to petitioner no. 1. He, however, submits that the rest of 9 decimal of land was given to him on contract, on sharing basis. The complainant alleges that the petitioner no. 1, by forging his signature/ thumb impression, fraudulently got sale deed executed in his favour. The petitioner no. 2 became a witness in the aforesaid sale deed.

Learned counsel submits that the allegations are entirely false. The sale deed was executed in accordance with law and the complainant affixed his photograph as well as made his thumb impression on the sale deed.

Counsel for the complainant/ informant has opposed the prayer for bail. He reiterates that the petitioners fraudulently got the land registered.

Whether the petitioners got the sale deed fraudulently executed, is itself the subject matter of the instance case.

Having regard to the facts and circumstances of the case, in the event of arrest/surrender, let the petitioners named above, be released on bail on furnishing bail bond of Rs.5,000/- each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Samastipur in connection with Pusa P.S. Case No. 48 of 2015, with the condition that petitioner no. 1 would deposit a sum of Rs.20,000/- with the court concerned, which amount would be subject to the result of this case. Furthermore, he would not physically absent for two consecutive dates at a stretch, till one witness is examined in the trial.

(Samarendra Pratap Singh, J)

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