

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35752 of 2016

Arising Out of PS.Case No. -1859 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Tara Devi W/o Late Rajendra Bhagat
 2. Prem Kumar S/o Late Rajendra Bhagat Both R/o Madhura, Tola-Andauli, P.S.- Saur Bazar, District- Saharsa.
 3. Pankaj Kumar S/o Khushi Lal Bhagat R/o Village+Post+P.S.- Simri Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suma Devi W/o Upendra Mehta resident of Village- Madhura, Tola-Andauli, P.S.- Saur Bazar, District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 23-09-2016 Heard the Counsel for the petitioners and Mr. M.
Dayal, APP for the State.

On the basis of complaint, the petitioners are facing
accusations punishable under Sections 467, 468, 420 and 406/34
of the Indian Penal Code.

It is alleged that the petitioners conveyed the land
part of which stood recorded as *Anawad Sarva Sadharan* land.
Earlier to this, there was exchange of land between the parties out
of which a complaint was filed by the petitioner no. 2 against the
present prosecution side. This was followed by another complaint
lodged by the son of the complainant and after having been
extended bail in the said case, the present case has been lodged.

I have perused the complaint. Prima facie, it

concerns a civil dispute between the parties.

Considering the nature of allegation and other materials reflected from the record, I am persuaded to privilege the petitioners with anticipatory bail.

In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to 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 Sri Lalan Ji, Judicial Magistrate, 1st Class, Saharsa in Complaint Case No. 1859C/2014 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 bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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