

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32044 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -BARHARIA District- SIWAN

- =====
1. Rakesh Kumar S/o Late Sheoji Sah
 2. Sonu Kumar, s/o Sri Lalbabu Sah,
Both R/o Village- Koerigawn, P.S- Barheria, District- Siwan.
 3. Nand Kishore Prasad, S/o Sri Gokul Prasad R/o Village- Tinbheria, P.S.-
Barheria, District- Siwan.
 4. Anil Prasad s/o Late Gujeshwar Prasad, R/o Village- Jalpurwa, P.S.-
Goriakothi, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 30-08-2016 Heard Sri Krishna Prasad Singh, learned senior counsel
who was assisted by Sri Jitendra Kumar Singh, learned counsel for
the petitioners and learned A.P.P.

Four petitioners apprehending their arrest in Barheria
P.S. Case No. 106 of 2016 registered for the offence under
Section 420, 467, 468, 471, 504, 506/ 34 of the Indian Penal
Code have prayed for bail in the event of their arrest.

The petitioner no. 1 has been alleged that he had



purchased the ancestral land of the informant from his own uncle namely Mohan Prasad Sinha who has been made accused in F.I.R. So far petitioner no. 2 and 3 are concerned they stood witness and identifier respectively of the sale deed whereas petitioner no. 4 was a deed writer. It was submitted by learned counsel for the petitioners that the uncle of the informant who has been made accused in the F.I.R., being title holder as well as having possession over the land in question by registered sale deed had transferred the land to the petitioner no. 1 after accepting consideration amount. He submits that in a civil dispute colour of criminal offence has been given and all the petitioners have been made accused.

Learned A.P.P. has opposed the prayer for anticipatory bail.

However after going through the material on record particularly the F.I.R. the court is of the opinion that it is fit case for extending the privilege of anticipatory bail. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the aforesaid four petitioners Rakesh Kumar, Sonu Kumar, Nand Kishore Prasad and Anil Prasad be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of

Chief Judicial Magistrate, Siwan / concerned court in connection with Barheria P.S. Case No. 106 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

Praful/-

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