

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33441 of 2016

Arising Out of PS.Case No. -174 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Dinesh Kumar Rai Son of Ram Shresth Rai
 2. Srimati Kavita Devi @ Kavita Kumari wife of Dinesh Kumar Rai
 3. Gopal Rai Son of Late Thaga Rai
 4. Shashi Bhushan Bhakta Son of Chandrika Bhakt. All are resident of Village- Khadinpur P.S. Paru, District- Muzaffarpur.
 5. Chandra Bhushan Rai Son of Jai Prakash Rai of village Kalyan P.S. Orai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 420, 468 and 34 of the I.P.C.

Allegedly, the petitioners being in collusion and conspiracy got executed the registered sale deed alleged to be executed by Mostt. Ramkali Kuer aged 80 years and blind mother of the complainant after impersonating her only with the purpose to grab the valuable property.

Submission is of false implication and that the land

dispute is going on between the parties, partition suit no. 792 of 2014 is pending between the parties, there is no chance of tampering with the prosecution evidence and as such the petitioners deserve sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with Town P.S. Case No. 174 of 2016 pending in the court of C.J.M. Muzaffarpur.

However, if the petitioners surrender and seek regular bail within six weeks from the date of receipt/production of a copy of this order then their prayer for regular bail shall be considered on its own merits without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

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