

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42567 of 2016

Arising out of P.S. Case No. - 127 Year - 2014 Thana - TIKAPATTI District - PURNIA

- =====
1. Sabita Devi, Wife of Awdhesh Pandit
 2. Awadhesh Pandit, Son of Late Rasik Lal Pandit
- Both Residents of Village - Teldiha, Police Station - Tikapatti,
District - Purnea

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar, Advocate

For the Opposite Party : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 18-10-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Tikapatti P.S. Case No. 127 of 2014, disclosing offences under Sections 420, 406, 468, 467, 323, 452, 379 and 427 of the Indian Penal Code.

A compliant case filed by the informant is basis for registration of the F.I.R.

Learned counsel for the petitioners has submitted that land dispute between the parties is the reason behind registration of F.I.R. containing false facts. He has also submitted that the police upon conclusion of investigation submitted final report holding it to be a case of civil dispute. He has submitted that

despite submission of final report, learned court below has taken cognizance of the offences and issued summonses to the petitioners. This is the reason why the petitioners apprehend their arrest, if they appear before the court below.

Considering the above submissions, this application is allowed. Let the petitioners, above-named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Purnea in connection with Tikapatti P.S. Case No. 127 of 2014, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/court, as the case may be, as and when required and in the event of failure on their part to appear before the court below on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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