

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2915 of 2016

Arising Out of PS.Case No. -310 Year- 2014 Thana -SAMASTIPUR District- SAMASTIPUR

- =====
1. Bindeshwar Sah Son of late Ram Narayan Sah Resident of Village- Murtuzapur, P.s Jandaha, District Vaishali, at Present Living at Bahmadpur, P.S Tajpur(Halai O.P), District Samastipur.
 2. Naresh Sah Son of Bulaki Sah Resident of Village- Lodipur, P.s Mahnar, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha

For the State : Mr. Binod Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 21-07-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 341/323/354/420/468/471/504/120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that he has been made accused in the present case for the reason that he has identified the women who had executed the sale deed. He further submits that there was no element of conspiracy in the same and there was bonafide mistake.

Learend counsel appearing on behalf of the party submits that the photographs appended to the sale deed does not tally with the photographs of the said Sudama Devi who executed the sale

deed in either the Adhar Card, Voter Identity Card and also the certificate granted by the Mukhiya. He thus submitted that the petitioner may not be granted anticipatory bail.

Having heard learned counsel for the petitioner and learned counsel appearing on behalf of opposite party No. 2 and after perusing the documents which have been placed before this Court, it appears that the petitioner has merely identified and that the photographs vary from one to the other.

In view of the aforesaid facts and circumstances, let the petitioners above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, in connection with Samastipur P.S. Case No. 310/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It is made clear that the petitioner shall be present in the trial and shall co-operate so that the case reaches its logical conclusion.

(Anjana Mishra, J)

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