

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37283 of 2016

Arising Out of PS.Case No. -320 Year- 2016 Thana -JAHANABAD District- JEHANABAD

1. Mithilesh Prasad Son of Late Raj Kishore Yadava
2. Raj Nandan Yadav Son of Late Nathun Yadava Both are residing at
Village- Dewkuli, P.O.- Serthua, P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 21-09-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jehanabad Police Station Case No. 320 of
2016, disclosing offences under Sections 420, 467, 468 and
471 of the Indian Penal Code.

Allegedly, the petitioners received compensation
amount consequent upon acquisition of land for widening of
road. With an allegation that they received the said amount
on the basis of fabricated papers, the First Information
Report has been instituted.

Learned Counsel appearing on behalf of the
petitioners has submitted that for realization of the



compensation amount received by the petitioners, certificate cases have been instituted. The petitioners challenged the said certificate proceedings before this Court by filing applications under Article 226 of the Constitution of India. The proceedings of the certificate cases have been stayed by orders of this Court, dated 23.06.2016, whereafter the present First Information Report has been registered.

It has been submitted on behalf of the petitioners that dispute is, as a matter of fact, civil in nature and in any event, there is no chance of the petitioners fleeing from the course of investigation or trial.

Considering the above submissions, this application is allowed.

Let the petitioners, namely, Mithilesh Prasad and Raj Nandan Yadav, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad Police Station Case No. 320 of 2016, 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 on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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