

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40645 of 2016

Arising Out of PS.Case No. -287 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

- =====
1. Md. Tasleem
 2. Md. Salim, both sons of late Abdul Azeem, all R/O-Village-
Bhagwanpur, P/S-Sadar, District-Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Sadar P.S. Case No. 287 of 2016, disclosing offences
under Sections 420, 120B and 406/34 of the Indian Penal Code.

The allegation against the petitioners is that they
executed power of attorney in favour of the informant in
relation to the land, pertaining to Khata No. 385, Khesra No.
1073, Area 32 decimals of Village-Bhagwanpur in the district
of Muzaffarpur, represented themselves to be the owners of the
said land and the land being their ancestral property. The
petitioners are also said to have taken a sum of Rs. 6,50,000/- as
consideration money for giving the informant power of

attorney.

Learned counsel, appearing on behalf of the petitioners, has submitted, referring to a copy of the said power of attorney, which has been brought on record by way of Annexure-3 to the present application, that the said power of attorney was executed only for the purpose of pursuing a case pending in the court of learned Sub Judge-III, Muzaffarpur. It is submitted that there is no mention of any amount paid to the petitioners in the said power of attorney.

Considering the nature of dispute and the allegation made in the F.I.R., 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 bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Sadar P.S. Case No. 287 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 petitioner 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.

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(Chakradhari Sharan Singh, J)