

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2405 of 2016

Arising Out of PS.Case No. -596 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Shravan Kumar Palriwal, son of Late Narayan Pd. Palriwal
 2. Prabha Devi, wife of Shravan Kumar Palriwal
 3. Kumari Komal, daughter of Shravan Kumar Palriwal
 4. Sonu Kumar Palriwal, son of Shravan Kumar Palriwal, All are resident of Babuaganj (Khagaria), Ward No. 4, P.S. & District- Khagaria.

.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dronacharya, Advocate

For the Opposite Party/s : Mr. D.P.Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Khagaria P.S. Case No. 596 of 2015 registered under Sections 420, 467, 468 and 471 read with 34 of the Indian Penal Code.

It is contended that the dispute between the parties is purely of civil nature and without any basis or reason, the informant has lodged this case only on the apprehension that

petitioner no. 1 Shravan Kumar Palriwal has purchased the suit house from Mosmat Sudha Devi. Though, she lost Title Suit No. 55 of 1989 against late Shyam Sunder Prasad, who had filed the suit for declaration that the plaintiff is not the tenant of the defendant and he is in possession of scheduled house on the basis of adverse possession over the suit property.

On the other hand, learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioner.

Be that as it may, regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 596 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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