

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27210 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Arinjay Kumar Singh, aged about 45 years, son of Brij Narayan Singh
 2. Shashi Kumar Singh, aged about 38 years, son of Brij Narayan Singh
 3. Kameshwar Kumar Singh @ Kameshwar Prasad Singh, aged about 40 years, son of Brij Narayan Singh
 4. B.P. Bikash, aged about 24 years, son of Arinjay Kumar Singh
 5. Rajan Kumar Singh @ Rajnikant, aged about 20 years, son of Shashi Kumar Singh
 6. Krishna Kumar Singh, aged about 23 years, son of Shashi Kumar Singh
 7. Maya Shankar Yadav, son of Late Bhagwan Yadav

All are the residents of Village- Gariba, P.S.- Kalyanpur, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul
For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 26-10-2016 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 147/148/149/379/447/307/406/420/341/323/504 and 354(A) of the Indian Penal Code.

Learned counsel for the petitioners submits that in the present case an allegation has been made against the petitioner that they had taken money for sale of a piece of land and house and having handed over possession to the informant, the petitioners



had failed to execute the sale-deed. It is submitted that the informant of the present case is none other than the wife of the informant of Chakiya P.S. Case No. 325 of 2014 registered under the same sections in which the petitioners have already been extended the privilege of anticipatory bail vide order dated 28.09.2015 passed in Cr. Misc. No. 20206 of 2015. Learned counsel for the petitioners further submits that the allegation as made in the present First Information Report are virtually the same, save and except, that in the earlier case, there was no mention of handing over by the petitioners to the informant whereas in the present case, the informant has said that the possession of the house was also handed over to them. It is further submitted that the present case is, but a fallout of the earlier order passed by this Court extending the privilege of pre-arrest bail and again for the very said occurrence, the petitioners are facing prosecution.

After having heard learned counsel for the petitioner and learned counsel on behalf of the State and though the informant has appeared and his name is appearing in Cause-list, there is no representation on behalf of opposite party No. 2 and considering the nature of allegations, 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, Motihari in connection with Chakiya P.S. Case No. 41/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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