

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.504 of 2016

Arising Out of PS.Case No. -200 Year- 2015 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Pratima Rastogi, W/o Gaurav Rastogi Resident of Mohalla- Bhathuria, Toen Biharsharif P.S. Laheri, District- Nalanda,
 2. Varsha Rastogi W/o Durgesh Rastogi
 3. Durgesh Rastogi S/o Sri Dinesg Rastogi Both Resident of Mohalla- Bagia Mangulal Kayamganj District- Farukhabad U.P.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Raj
For the Opposite Party/s : Mr. M.Rab(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 406, 120B of the Indian Penal Code.

The prosecution case is that after death of the parents of the informant, the properties were devolved among three sisters. Subsequently the accused persons including the petitioners persuaded the informant and her sisters to execute power of attorney in favour of Aruna Devi who happens to be the aunt of the informant. Subsequently Aruna Devi executed sale deed of 4.25 decimals of land worth rupees ten lacs without instruction of the informant.

It is submitted by learned counsel for the petitioners that admittedly the power of attorney was executed

in favour of Aruna Devi and Aruna Devi subsequently executed the sale deed. The petitioner was neither party to the power of attorney nor to the sale deed, but simply they have been roped in the present case since they happen to be daughter, daughter-in-law and son-in-law of Aruna Devi.

Considering the thrust of accusation against Aruna Devi, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Laheri P.S. Case No. 200 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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