

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39463 of 2017

Arising Out of PS.Case No. -486 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

- =====
1. Birendra Kumar
 2. Ram Chandra Singh, both sons of Late Muni Lal Singh, both residents of village-Pokharaira (Jaitpur O.P.), P.S.-Saraiya, District-Muzaffarpur.
- Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Prasad
For the Opposite Party/s : Mr. Sri Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 486/2016 registered under Sections 406, 420 of the Indian Penal Code.

The petitioner no. 1 purchased the land from the wife of the complainant whereas the petitioner no. 2 allegedly attested the document as a witness.

Learned counsel for the petitioners submits that after the death of father of the complainant, the land came in possession of his wife and daughter as per mutual consent. The dispute is purely a civil dispute, for which, Partition Title Suit No. 356 of 2016 has also been filed by the full brother of complainant, which



is pending in the Court of Sub Judge-1st , Muzaffarpur.

Learned Additional Public Prosecutor opposed the aforesaid submission.

Considering the nature of allegation, facts and circumstances as stated above, this application for anticipatory bail is allowed.

Let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released 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 learned S.D.J.M., West Muzaffarpur in connection with Complaint Case No. 486/2016, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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