

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18373 of 2017

Arising Out of PS.Case No. -671 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Md. Arshad, Son of Md. Shabbir Hussain.
2. Md. Monazir, Son of Md. Shabbir Hussain.
3. Md. Asif, Son of Md. Shabbir Hussain
4. Md. Rashid, Son of Md. Shabbir Hussain
5. Md. Shabbir Hussain, Son of Late Md. Ekramuddin, All are resident of Village- Kadwa, Police Station- Raniganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For Informant ; Mr. Manoj Kumar
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-05-2017 The petitioners are apprehending their arrest in connection with Araria P.S. Case No. 671 of 2016, registered for offences punishable under Sections 406, 420, 120B/34 of Indian Penal Code.

Allegations against the petitioners that they brought the informant by inducing her to registry office and after giving her some medicine, she became semi-unconscious and, thereafter, the petitioners managed to get the sale deed executed in their favour without giving any consideration amount to the informant.

It has been submitted on behalf of the petitioners that entire prosecution story is false and concocted one which will



appear from the fact that the F.I.R. has been lodged after lapse of five months and secondly the registration has been made before the Sub-Registrar as such the story of prosecution that she was not conscious at the time of execution of sale deed is not true. In fact, the present case has been lodged at the instance of brother of informant, who wanted to grab the land of informant, as such, the present case has been lodged.

Heard learned A.P.P. and learned counsel for informant. They have opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, let the petitioner above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Araria in connection with Araria P.S. Case No. 671 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the



concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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