

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23098 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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1. Mandira Ghosh, Wife of Bablu Dey,
2. Bablu Dey, Son of Late Sudhir Chandra Dey, Both R/o Mohalla-Subhash Nagar, Station Road, Khushki Bagh, P.S. Sadar, District- Purnea, at present residing at Viveka Nand Colony, P.S. K. Hat (Sahayak) District-Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sadar P.S. Case No. 72 of 2016 initiated for the offence under Sections-323, 341, 420, 467, 468, 471/34 of the Indian Penal Code.

It is alleged by the informant that the informant wanted to execute a will after death of her husband in respect of property as mentioned in the written report. It is further alleged that the petitioner No. 1 fraudulently got sale deed executed by her in conspiracy of her husband (petitioner No. 2) and other accused persons.

Counsel for the petitioners submitted that for setting aside the aforesaid sale deed, the informant has already filed Title



Suit No. 180 of 2015, which is pending in the court of Sub Judge-I, Purnea. This is purely a case of civil nature.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sadar P.S. Case No. 72 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Purnea subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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