

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26634 of 2017

Arising Out of PS.Case No. -900 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Mohan Yadav, Son of Bachcha Yadav,
 2. Prabhu Yadav, Son of Bachcha Yadav,
 3. Alagu Yadav, Son of Bachcha Yadav,
 4. Shambhu Yadav, Son of Bachcha Yadav,
 5. Satish Yadav, Son of Mohan Yadav,
- All are residents of Village- Thakraha Tola Sona Bhawani, Police Station- Thakraha, District- West Champaran.
6. Sohila Tiwari, Son of Late Nathuni Tiwari.
 7. Ishwar Tiwari, Son of Late Nathuni Tiwari.
- Petitioners No. 6 & 7 are residents of Village- Jagwa Tola, Police Station- Thakraha, District- West Champaran.
8. Nripendra Kumar @ Nripendra Kumar Verma, Son of Late Raghunath Sahay, at present Registry office at & Police Station- Bagaha, District- West Champaran (Deed writer of Registry Katchahari, Bagaha).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bachu Yadav, Son of Late Tota Yadav, resident of Village Thakraha Sona Bhawani, Police Station- Thakraha, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Rajballabh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Trial No. 3706 of 2017 arising out of Complaint Case No.900 of 2014 instituted for the offence under Sections 147, 323, 341, 420 and 504 of the Indian Penal Code.

It is alleged in the complaint petition that petitioner



No. 1 in conspiracy with other co-accused persons, purchased the land as mentioned in the complaint petition which belongs to brother of the complainant and *Jamabandi* was also running in his name. The accused persons got the sale deed executed on 23.3.2012 whereas the land was purchased by brother of the complainant in the year 1990.

From the complaint petition, it appears that the dispute is purely civil in nature.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Trial No. 3706 of 2017 arising out of Complaint Case No. 900 of 2014, they shall 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 Additional Chief Judicial Magistrate-II, Bagaha, Distt. West Champaran, subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

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