

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34317 of 2017

Arising Out of PS.Case No. -311 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Rubi Verma, W/o Brijesh Kumar Verma, D/o Late Bindeshwari Prasad,
2. Sushil Kumar, S/o Suresh Prasad,
Both Resident of Village- Maldahia, P.S. Sikarpur, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Devi, W/o Harendra Pandit, Resident of Village- Vijai Tola,
Paradiya, P.S.- Ghorasahan, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Ghorasahan P.S.

Case No. 311 of 2016 instituted for the offence under Sections 120B,
420, 467, 468, 471 and 406 of the Indian Penal Code.

It is alleged that these petitioners and another accused
Suresh Prasad executed sale deed in favour of the complainant on
23.2.2016 with respect to land as mentioned in the complaint petition.
The husband of the complainant went to construct boundary wall on
18.6.2016, and then co-villagers raised objection stating that the said
land is Gairmajarua land. The husband of the complainant enquired
about it and learnt that the said land is Gairmajarua land in R.S.
Khatian.



In such circumstances, from nature of allegation it is a matter of purely civil dispute, 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 Ghorasahan P.S. Case No. 311 of 2016, 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 Sub Divisional Judicial Magistrate, Sikarahana at Dhaka, Distt. East 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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