

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48326 of 2017

Arising Out of PS.Case No. -1369 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

- =====
1. Dineshwar Prasad Srivastava @ Digeshwar Prasad Srivastava @ Bhola Lal, son of late Sant Prasad Srivastava,
 2. Pradip Kumar Srivastava,
 3. Pramod Kumar Srivastava,
 4. Piyush Kumar Srivastava, all sons of Sri Digeshwar Prasad Srivastava @ Bhola Lal, all residents of village- Kuchhila, Police Station- Kuchhila (Kochas) in the district of Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhu Narayan Sharma, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Baxi S R P Sinha, Sr. Advocate with Mr. Babu Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-10-2017

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Informant.

Petitioners apprehend their arrest in **Sasaram Model P.S. Case No.1369 of 2016** instituted for the offence under Section(s) 467, 468, 420, 120-B Indian Penal Code.

There is allegation in the written report that these petitioners filed Compromise Petition in Title Suit No.407 of 2016 in the Court below with forged signature of the Informant and, accordingly, suit was decreed on the basis of compromise. The Informant learnt about such forgery on 14.12.2016, when he inspected the record through his lawyer and thereafter this case



has been filed.

Counsel for the Informant has submitted that he has filed Title Appeal against the final judgment and decree passed in Title Suit No.407 of 2016 challenging the validity of the compromise petition filed in the suit on the basis of forged signature of the Informant, which is still pending. As such, civil remedy has been adopted by the Informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Sasaram Model P.S. Case No.1369 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Rohtas at Sasaram**, 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.

(Sanjay Priya, J)

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