

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40912 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Bhikhari Sah, S/o Late Dhanu Singh @ Dhan Sah,
2. Most Phulmati @ Most. Phulmati Devi, W/o Rama Sah @ Ram Narayan Sah
3. Indu Devi, W/o Shivpujan Sah, All resident of Village- Madhopur, P.S.- Majhaulia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-09-2017 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Majhaulia P.S. Case No. 40/2017 instituted for the offences under Sections 420, 323, 467, 471, 384, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that for the same plot the complainant has filed title suit vide Title Suit No. 70 of 2017, which is pending before Sub-Judge VII, Bettiah, West Champaran. It is a civil dispute and merely to harass the petitioners, the complainant has filed this case.

It is alleged that the petitioners sold the land belonging to the complainant for which title suit has already been filed by the



complainant.

Considering the facts and circumstances of the case, the 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 Majhauria P.S. Case No. 40/2017, 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 the learned Chief Judicial Magistrate, Bettiah (West Champaran), subject to the conditions as laid down under Section 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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