

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40402 of 2017

Arising Out of PS.Case No. -440 Year- 2017 Thana -COMPLAINT CASE District- JAMUI

=====

1. Rajendra Paswan Son of Late Ram Kishun Paswan Resident of Village-Kalyanpur, P.S. and District Jamui.
2. Nandu Ram Son of Late Badri Ram, Deed Writer of Jamui, P.S. Jamui, District Jamui.
3. Subodh Kumar Sinha, Deed Writer Registry Office, Jamui P.S. Jamui, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mohan Ram Son of Late Radha Ram, Resident of Village-Kalyanpur, P.S. and District Jamui.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 440 C of 2017 instituted for the offence under Sections-420, 468 & other minor Sections of the Indian Penal Code.

It has been submitted that petitioner No. 1 is purchaser whereas petitioner Nos. 2 & 3 are deed writers. The registered sale deed was made on 01-03-2013 and the complaint petition has been filed after delay of one year on 14-03-2014. The police after investigation, submitted final form in the case untrue and thereafter, on the basis of protest petition, the learned Magistrate has found prima facie case against these petitioners.



From the nature of dispute, it appears that civil remedy is available to the complainant/informant.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six 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 in Complaint Case No. 440 C of 2017 to the satisfaction of Sri M. K. Pandey, learned Judicial Magistrate-Ist Class, Jamui 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)

A.K.V./-

U		T	
---	--	---	--

