

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40351 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -MADHEPURA District- MADHEPURA

- =====
1. Md. Kamrus Sahar @ Kamrus Sahar @ Md. Bagjat Sahar @ Md. Kamjat sahar, D/o- Late Motiur Rahman,
 2. Md. Sabhiya Praveen @ Sabiha Praveen @ Sahisha Praveen, D/o Late Shafiur Rahman,
- Both resident of Village- Masjid Chowk, Madhepura, Ward No. 10, P.S. & District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Madhepura P.S.

Case No. 128 of 2017 instituted for the offence under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code.

It is alleged that these petitioners with other accused persons as mentioned at Sl. No. 9 to 18 have executed on different dates sale deed of the land in question which was ancestral property of the informant, in favour of accused No. 1 to 8. The name of these petitioners appeared at Sl. No. 13 and 17.

Learned counsel for the petitioners has submitted that Title Suit is pending between the parties vide Title Suit No.355 of 2015. Title Suit has been filed by the informant. The petitioners have



also appeared in aforesaid Title Suit.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail.

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 Madhepura P.S. Case No. 128 of 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 learned Chief Judicial Magistrate, Madhepura, 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)

S.Ali/-

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

