

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55640 of 2017

Arising Out of PS.Case No. -748 Year- 2017 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Smt. Priya Kumari, W/o Ravi Prakash, R/o Village- Sadhopur, Jiban, P.S.- Goraul, District- Vaishali.
 2. Kanhai Kumar, S/o Satya Narain Rai, R/o Village- Atwarpur Pokhari, P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Khusbu Devi, W/o Sanjeev Kumar, R/o Village- Asadpur Satpura, P.S.- Bhagwanpur, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Complaint Case No. 748 of 2017, Trial No. 1780 of 2017** instituted for the offence under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

There is allegation in the complaint petition that petitioner No. 1 got executed sale deed by step son of the complainant with respect to the land as mentioned in the complaint petition, in which, the petitioner No. 2 was witness. It is further alleged that the age of step son of the complainant at the



time of execution of sale deed was 17 years.

Learned counsel for the petitioner has submitted that the step son of the complainant namely Amarjeet Kumar sold his own share of the land to petitioner No. 1. The complainant alleged that the age of her step son at the time of execution of sale deed was 17 years but in Adhar Card of Amarjeet Kumar, it is mentioned that he was aged about 21 years at the time of execution of sale deed. Moreover, from the nature of dispute it appears that it is purely civil dispute between the parties.

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 **Complaint Case No. 748 of 2017, Trial No. 1780 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, Vaishali at Hajipur**, 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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