

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57463 of 2017

Arising Out of PS.Case No. -801 Year- 2016 Thana -COMPLAINT CASE District- JAMUI

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1. Moti Singh @ Motilal Singh, Son of Late Bharat Singh,
2. Jawahar Singh, Son of Late Bharat Singh,
3. Khushbu Kumari, Wife of Amit Kumar Singh,
4. Snehlata Kumari, D/o Late Hira Singh,
5. Manoj Singh, Son of Lakshman Singh,
6. Chunnu Singh, Son of Manoj Singh,
7. Sonu Singh, Son of Manoj Singh,
All resident of Village- Lagma, P.S.- Jamui, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jitendra Rawat, S/o Bajarangi Rawat, Resident of Lagama, P.S.- Jamui,
District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate.
For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioners and the
State.

The petitioners apprehend their arrest in **Complaint**
Case No. 801C of 2016 instituted for the offence under Sections
109, 468, 420 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
grievance of the complainant is that mutation of the land in the
name of this petitioner has been made on the basis of Mutation
case No. 6209/12-15. Earlier the aforesaid land was mutated in the
name of the complainant's grand father namely Borhan Rawat



vide Jamabandi No. 157 of 1993.

Learned counsel for the petitioner has submitted that Jamabandi was created in the name of Baikunth Singh and Laxman Singh after issuing general and personal notice after observing all the legal para phernalias in Mutation case No. 6209/12-15. The Jamabandi was created in favour of the petitioners. It has further been submitted that petitioners have also filed Title Suit No. 204 of 2015 with respect to the aforesaid land. As such it is a matter of purely civil dispute.

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. 801C of 2016**, 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 Sri Ranjandeo, **learned Judicial Magistrate, 1st Class, Jamui**, 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.

S.Ali/-

(Sanjay Priya, J)

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