

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47165 of 2017

Arising Out of PS.Case No. -1841 Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Madan Prasad, aged about 70 years, son of Late Ram Lakhan Prasad
2. Premlata Devi, aged about 69 years, wife of Madan Prasad
Both are residents of Mohalla Jagir, P.S. Nagar, District- Begusarai, at
present residing at 85 H.B. Road, Bhagwati Sadan Lalpur, P.S. Lalpur,
District- Ranchi, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjeet Kumar, son of late Jagdish Prasad, Resident of
Village/Mohalla- Jagir, P.S.- Town, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Puneet Siddhartha, Advocate
For the State : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-11-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Complaint
Case No. 1841 of 2016 instituted for the offence under Sections
420 and 406 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
the instant complaint has been filed by the complainant just to
harass the petitioner. Sale deed has been executed by petitioner
No. 2 in favour of complainant and other persons namely, Santosh
Rai, Kameshwar Prasad Singh and Maheshwar Prasad Singh in
good faith. The complainant and other persons had issued



Cheques of Rs.15,00,000/- each after executing sale deed and all the cheques bounced for which the petitioner No. 1 has filed case under Section 138 N.I. Act against the complainant and others vide Complaint Case Nos. 1104 of 2016, 1105 of 2016, 1304 of 2016 and 1306 of 2016 which is apparent from Annexure-10. It has further been submitted that complainant and other purchasers have already sold aforesaid land to different persons by different sale deeds as mentioned in Annexure-9 series and just to harass the petitioners not to contest the complaint case filed against the complainant and others under Section 138 of N.I. Act, this false case has been filed by the complainant.

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. 1841 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 learned Additional Chief Judicial Magistrate-VIth, Begusarai, 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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