

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23107 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -OBRA District- AURANGABAD

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1. Renu Devi, Wife of Satyendra Kumar Pandey,
2. Satyendra Kumar Pandey, Son of late Niwas Pandey. Both Resident of
Village- Pakari, Police Station- Fesar, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma
For the informant : Mr. Satyadeo Prasad Singh, Adv
Mr. Sumeet Kumar Singh, Adv.
For the State : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 25-05-2017 Heard learned counsel for the petitioners and the State.
- The petitioners apprehend their arrest in Obra P.S. Case
No. 149 of 2016 instituted for the offence under Sections-420,
427, 467, 468 & other minor sections of the Indian Penal Code.
- As per the complaint petition, the informant had
purchased the land of Khata No. 14/35 of Plot No. 175/281 of an
area of 4.13 decimals in the year, 1987 and was living in peaceful
possession over the same. It is further alleged that the informant
learnt that accused Nos. 3 & 4 again sold the aforesaid land to the
petitioner by sale deed dated 04-05-2016. The zerox copy of the
sale deed dated 04-05-2016 executed in favour of the petitioner
has been annexed as Annexure-2 wherein it has been clearly



mentioned that the petitioner No. 1 has purchased the land of Khata No. 14/34 Plot No. 175/281 which is entirely different from the plot, mentioned in the complaint petition. It has been submitted that the petitioner is a bona fide purchaser who has paid the consideration money, which is evident from the sale deed (Annexure-2) itself. The petitioner No. 2 is identifier of the aforesaid sale deed.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Obra P.S. Case No. 149 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad 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)

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