

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41552 of 2017

Arising Out of PS.Case No. -257 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Satyanarayan Chaturvedi @ Sattu Baba,
2. Shiv Narayan Chaturvedi @ Gopal Jee,
3. Rajeev Kumar,
4. Bittu Kumar, Both 3 & 4 sons of Shiv Narayan Chaturvedi, All resident of Village- Talibpur, WardNo.14, Police Station- Barh, District- Patna.
5. Anil Kumar, Son of Late Mathura Singh, R/o Naua Toli, Paijawapar, Ward No.20, P.S.- Barh, District- Patna.
6. Raj Kumar Singh, Son of Mathura Prasad Singh, Resident of Walipur, P.S.- Barh, istrict- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Most. Sharda Devi, W/o Late Suresh Chaturvwdi, R/o Mohalla- Talipur, Ward No.14, P.S.- Barh, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Mishra

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 257C of 2015 instituted for the offence under Sections-406, 420, 467, 468, 471, 120(B), 307, 380, 323, 341 of the Indian Penal Code but cognizance has been taken under Sections-420, 469, 468, 471, 375, 325, 324 and 504 of the Indian Penal Code.

It has been submitted that for the same piece of land, the complainant has filed Title Suit Nos. 186 of 2010 and 216 of 2012 which are pending between the parties before the court of Sub Judge-Ist, Patna. The instant case has been filed by the complainant under



influence of one of the persons to give pressure. Petitioner Nos. 1 & 2 are son of the complainant. Petitioner Nos. 3& 4 are grand sons of informant and petitioner Nos. 5 & 6 are purchasers of the land.

In this manner, from the nature of allegation, it appears that the matter relates to civil dispute.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six 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 in Complaint Case No. 257C of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh, Patna 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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