

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44245 of 2017

Arising Out of PS. Case No.-12881 Year-2014 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Amresh Kumar, Son of Brajesh Kumar Singh, resident of village- Manjhaul, P.S. Cheriya Bariayrpur, District- Begusarai.
 2. Manendra Kumar, Son of Bimal Prasad Singh, resident of Village- Sadanandpur, P.S. Balia, Distt.- Begusarai.
 3. Mithilesh Singh @ Mithileshwar Singh, Son of Late Ramjee Singh, Resident of Village- Rustampur, P.S.- Basidh Road, Dist.- Balia (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Krishna Mohan Singh, Son of Late Pashupati Nath Singh, Resident of Village- Mohmadpur, Raghunath Thana NO. 379, Power House Chowk, P.S.- Town, Distt.- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. SRI DINESH SINGH

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 12881C of 2014, disclosing offences under Sections 147,120B,420,467,468,504 of the Indian Penal Code.

The allegation is that the petitioner No.3 has executed sale deed in respect of a piece of land in favour of petitioner Nos. 1 and 2, though the said land belongs to the complainant.



Learned counsel for the petitioners has submitted that the petitioner No.1 did have the right title and interest and, therefore, was competent to transfer the said land.

Learned counsel appearing on behalf of the complainant, on the other hand, has opposed the prayer for anticipatory bail and has submitted that the petitioners have committed fraud by executing a sale deed in respect of the piece of land, which never belonged to him.

Be that as it may, it is evident from the case of the prosecution that dispute between the parties is of civil nature, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in Complaint Case No. 12881C of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to



appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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