

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32652 of 2017

Arising Out of PS.Case No. -769 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Harshvardhan Krishna, son of Late Sadanand Singh,
2. Randhir Singh, son of Late Sachidanand Singh,
Both are resident of Rental Flat No.222, P.S.- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arun Pratap Singh, S/o Late Mahendra Pratap Singh, R/o Village-
Bhagwanpur, P.S.- Chandi, District- Bhojpur (Ara). at present resident
of Mahuabagh, Dhanaut, Near Mahuabagh Talab, P.S.- Rupaspur,
District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-09-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Complaint
Case No. 769 (C) of 2016 instituted for the offence under Sections
420, 467, 34 of the Indian Penal Code and Section 138 of N.I. Act.

It has been submitted on behalf of the petitioners that
they have executed Power of Attorney in favour of one Veena
Prasad (Annexure-3). Thereafter, the informant has entered into an
agreement with accused No. 2 and 3 namely, Harihar Prasad and
Rakesh Kumar (Annexure-5) and has paid money to them. The
sale deed has been executed by Veena Prasad in favour of the



complainant. The petitioners have neither received any money nor did they enter into an agreement with the informant. The money have been received by accused Nos. 2 and 3 namely, Harihar Prasad and Rakesh Kumar with whom the informant has entered into an agreement for sale of the land in question. The alleged sale deed has been executed in favour of the informant by accused No. 1 who is said to be the Power of Attorney holder.

In such circumstances, 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. 769(C) 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 Raghvendra Narayan Singh, learned Judicial Magistrate, 1st Class, Danapur, 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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