

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32331 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Mahatama Mishra @ Mahatam Mishra, son of Laxmi Mishram, resident of Ahwar Seikh Jaukatiya, P.S.- Majhauria, District- West Champaran, at present resident of Balua Mishra Toli, P.S.- Pahadpur, District- East Champaran.
 2. Om Prakash Dubey, son of Late Yogendra Dubey, resident of Village-Jaukatiya, P.S.- Majhauria, District- West Champaran.
 3. Rabindra Sah, son of Late Laxmi Sah, resident of Jaukatiya Nai Dih, P.S.- Majhauria, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-09-2017 Heard learned counsel for the petitioners, and the State.

Learned counsel for the opposite party No. 2 appeared and opposed the prayer.

The petitioners apprehend arrest in Majhauria Case No. 22 of 2017 instituted for the offence under Sections-420, 467, 468, 471, 384, 427, 120B & other minor Sections of the Indian Penal Code.

It has been submitted that petitioner No. 1 namely Mahatma Mishra @ Mahatam Mishra had sold the land to the grandfather of the informant. It is further alleged that the same land was once again sold by him to another person impersonating the informant. The petitioner No. 1 executed the sale deed in favour of Baidyanath Prasad. Petitioner



Nos. 2 & 3 are witnesses. As such, from the nature of dispute, it appears that it is a matter of civil dispute.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their 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 Majhulia Case No. 22 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran 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 tampers 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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