

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35025 of 2017

Arising Out of PS.Case No. -344 Year- 2012 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Yogendra Prasad Roy @ Yogendra Roy, Son of Late Kapildeo Roy,
2. Bhamini Roy @ Bhavni Devi @ Bhavni Raj, wife of Yogendra Prasad Roy, Both are residents of Village- Rajaura, P.S.- Mufassil (Begusarai) District- Begusarai. Petitioners

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Begusarai Town P.S. Case No. 344 of 2012 registered for the offences punishable under Sections 420, 467, 468 and 471/120B of the Indian Penal Code, seek the privilege of pre-arrest bail.

The petitioners are purchaser of land from Smt. Saraswati Devi, widow of late Bishwanath Singh Sharma, though she has got no concern with the land.

Submission is of false implication and that the nature of dispute appears to be civil. A title suit is also pending before the court below vide Title Suit No. 458/2014. Other purchasers namely, Punam Devi, Punam Ray @ Poonam Rai, Nirmala Devi @ Nirmala Kumari and Bal Mukund Singh @ Lal Mukund Singh



have been allowed pre-arrest bail vide order dated 13.07.2017 passed in Criminal Miscellaneous No. 29912 of 2017 and, as such, the petitioners also deserve sympathetic consideration.

The learned A.P.P. is not in a position to distinguish the case of the petitioners from that of Punam Devi and others.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai/the Incharge Successor Court in connection with Begusarai Town P.S. Case No. 344 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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