

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38497 of 2017

Arising Out of PS.Case No. -334 Year- 2017 Thana -KHAGARIA District- KHAGARIA

- =====
1. Prashant Kumar Singh S/o Late Gauri Shankar Singh &
 2. Tribhuban Bhaskar S/o Jayram Singh

.... Petitioners

Versus

The State of Bihar

.... Opposite Party.

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Khagaria (Muffasil)

P.S. Case No. 334 of 2017 instituted for the offence under
Sections-420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

It has been submitted on behalf of petitioners that the
petitioner No. 1 is uncle of the informant and petitioner No. 2 is
own brother-in-law of the informant.

As per allegation in the written report, the mother of the
informant executed a will in favour of her entire personal property
in the name of the informant and sons of his brother namely,
Sanjay Kumar Singh. The brother of the informant namely, Sanjay
Kumar Singh took his father in collusion and got executed
registered Mukhtarnama (Power of Attorney) in his name in
conspiracy with the petitioners and, is adamant to sell some of the



lands, which are mentioned in the deed of Will executed by mother of the informant.

In this manner, from the written report itself, it appears that till date, no any transaction has been made by the petitioners on the basis of aforesaid Power of Attorney. It has been submitted that these petitioners were only witness over the Power of Attorney, which is alleged to have been executed in the name of brother of the informant namely, Sanjay Kumar Singh.

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 in Khagaria (Muffasil) P.S. Case No. 334 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Khagaria 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)

A.K.V./-

U		T	
---	--	---	--

