

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50981 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -SANDESH District- BHOJPUR

- =====
1. Kamlesh Singh, son of late Sahabir Singh, resident of village Godihan, P.S. Sahar, Distt. Bhojpur.
 2. Dadan Singh, son of late Sitaram Singh
 3. Regani Singh, son of Dadan Singh
- Both are resident of village Kori, P.S. Sandesh, Distt. Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Ataul Haque, Advocate.
For the Opposite Party/s : Smt. Indu Bala Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sandesh P.S. Case No. 39 of 2017 instituted for the offence under Sections 147, 148, 149, 448, 341, 323, 379, 436, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the instant case has been filed only because of property dispute. It has further been submitted that Budhiya Devi was the first wife of Ramjee Singh whereas informant is his second wife. The house in question belongs to Budhiya Devi by virtue of deed of gift executed by her father. Subsequently, Ramjee Singh married with Duleshra Devi (informant) of his case. The aforesaid house has been given by Budhiya Devi to her two daughters. Therefore, this false case has been lodged by the informant against these petitioners.



Considering the facts and circumstances of the case, 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 Sandesh P.S. Case No. 39 of 2017, 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 learned Additional Chief Judicial Magistrate-9, Bhojpur, Ara, 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.

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(Sanjay Priya, J)

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