

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51027 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -SITAMARHI District- SITAMARHI

- =====
1. Ganga Prasad Singh @ Ganga Singh
 2. Navratan Vibhakar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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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 arrest in Sitamarhi P.S. Case No. 94 of 2017 instituted for the offence under Sections-406, 420 & other minor Sections of the Indian Penal Code.

There is allegation in the written report that the petitioner No. 1 entered into an agreement with the informant to sell the land as mentioned in the written report for consideration of amount of Rs. 20,000,00/- (twenty lacs). The informant paid Rs. 10,000,00/- (Rs. Ten lacs) but the sale deed was not executed.

Counsel for the petitioners has pointed out Annexure-3 which is the agreement, said to be agreement entered into between the parties.

From the aforesaid agreement, it appears that signature has been made by son of the informant though in the main portion of the agreement, name of vendor is mentioned as Ganga Prasad Singh. It



further appears that no area of land and Khata or Khesera No. has been mentioned.

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 Sitamarhi P.S. Case No. 94 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi 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) petitioner 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./-

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