

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58813 of 2017

- =====
1. Yogendra Yadav, S/o Late Dhanu Yadav, resident of Village- Bara Chhawani, P.S. Bettiah Town, District- West Champaran.
 2. Rekha Yadav, S/o Late Chaner Yadav,
 3. Ram Babu Yadav, S/o Late Thag Yadav,
 4. Pramod Yadav, S/o Late Bijali Yadav,
 5. Mukesh Yadav, S/o Late Biga Yadav, all are resident of Village- Bara Chhawani, P.S.- Bettiah Town, District- West Champaran, at present Ramnagar, P.S.- Bagaha- 2, District- West Champaran.
 6. Indrajit Yadav @ Jay Prakash Yadav, S/o Munshi Yadav, R/o Chhawani, P.S.- Menu Bapu, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Most. Arti Devi, wife of late Shankar Yadav, resident of Village- Bara Chhawani, P.S. Bettiah Town, District- West Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 12-12-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Complaint Case No.1694-C of 2016/Tr. No.3807 of 2017** instituted for the offence under Section(s) 420 Indian Penal Code.

Counsel for the petitioners has submitted that Complainant has executed sale deed in favour of Yogendra Yadav (petitioner no.1) on 13.03.2007. Instant complaint has been filed after delay of nine years in the year 2016.

The Complainant has alleged that these petitioners



got her thumb impression on a blank paper on the pretext of applying for her old age pension and thereafter took her to Registry Office and got the sale deed executed.

Counsel for the petitioner has submitted that Title Suit No.162 of 2016 is pending between the parties for the same land.

Counsel for the Opposite Party No.2 has appeared and opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Complaint Case No.1694-C of 2016/Tr. No.3807 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, Bettiah, West Champaran**, 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.

JA/- **(Sanjay Priya, J)**

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

