

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39185 of 2017

Arising Out of PS.Case No. -508 Year- 2014 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

- =====
1. Arjun Singh @ Arjun Das, S/o Dayali singh, Resident of Village- Rajapakar, P.S. Rajapakar, District- Vaishali.
 2. Geeta Devi @ Geeta Das, W/o Mahesh Rai, D/o Ghoghan Das, Resident of Village- Banghara, P.S. Patori, District- Samastipur.
 3. Shambhu Das, S/o Tilak Das @ Ramrup Paswan, Resident of Mohalla- Konhara Ghat, P.S. Town, Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Town P.S. Case No. 508 of 2014 instituted for the offence under Sections 406, 420 and 120(B) of the Indian Penal Code.

The allegation in the written report is that these petitioners claim themselves to be the disciples of Mahant Tilak Das. The petitioners sold the land of “*Math*” as described in the written report in conspiracy with each other.

Learned counsel for the petitioners has submitted that for such dispute, Civil Suits are pending between the parties vide



Partition Suit No. 201 of 2007 and Title Suit No. 1467 of 2014-15.

As such, the nature of dispute appears to be civil in nature. Therefore, 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 Town P.S. Case No. 508 of 2014, 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 Chief Judicial Magistrate, Vaishali at Hajipur, 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.

(Sanjay Priya, J)

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