

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7465 of 2017

Arising Out of PS.Case No. -398 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Birendra Yadav, son of Bhola Yadav
2. Sumitra Devi, wife of Birendra Yadav
3. Khushboo Kumari, wife of Sanjeev Kumar @ Sanjeev Kumar Yadav
All are residents of village-Chiknotwa, P.S.-Ghallardh, District-Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 Heard the parties.

The petitioners apprehend their arrest in Madhepura P.S.

Case No.398 of 2016 for the offences punishable under Sections
420 and 406 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the
number of cases is going between the petitioners and the
informant's side. The petitioner no.1 is the father-in-law,
petitioner no.2 is the mother-in-law and petitioner no.3 is Soutan
of informant. The petitioner no.1 undertook to execute the sale
deed with respect to three bighas of land in favour of daughter-in-
law, but allegation is that he is now executing sale deed with
respect to only 1 bigha and 16 katha and other lands are
government land and that's why case under Section 420 of IPC



has been filed. It is also submitted that the petitioner no.1 is still ready to execute the sale deed in favour of the informant.

Heard learned A.P.P. also.

Having heard both sides. In view of the nature of the case and there is undertaking by the petitioner no.1 to execute the sale deed with regard to three bighas of land, let the petitioner nos.2 and 3, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Madhepura P.S. Case No.398 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further subject to the conditions that the petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

So far petitioner no.1 is concerned, he shall be enlarged on provisional bail for a period of three months and in the meantime he will execute the sale deed as undertaken by him in



favour of the informant and after execution of sale deed the learned court below shall confirm the provisional bail of the petitioner no.1 and pass appropriate order as he may deem fit and proper.

(Vinod Kumar Sinha, J)

Arvind/-

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