

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24399 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Kunti Devi, wife of Bir Bahadur Mahto
2. Umashankar Tiwari, son of Devnandan Tiwari
3. Surendra Mahto, son of Mathura Mahto
All resident of Bharwallia, P.s. Manjhaulia, District-West Champaran
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Sri Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-06-2017 Heard Shri Vashistha Narayan Mishra, the learned advocate for the petitioners and Shri Rajendra Singh Shastriji, the learned APP for the State.

The petitioners in the present case are apprehending arrest in Bettiah (Town) P.S. Case No. 14 of 2017 under sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The prosecution case as alleged in the fardbeyan is that the accused persons had greedy eyes upon the land of the informant. The petitioner no. 1 Kunti Devi is said to have purchased the land upon which Umashankar Tiwary and Surendra Mahto, petitioners no. 2 and 3 respectively have attested as witness.

The learned counsel for the petitioners submits that the vendor of petitioner no. 1 is son of Rajnandan Prasad Shahi and he



is step brother of the informant. He further submits that a Partition Suit No. 69 of 2007, which was pending before the Sub-Judge-1st, Bettiah, was dismissed in default and the parties are having land dispute. He further submits that the petitioner no. 1 is a lady and the other two petitioners have simply attested their signature in the deed.

The learned APP for the State opposed the prayer for bail but no significant material could be placed to deny the privilege of anticipatory bail to the petitioners.

In the facts and circumstances stated above, I am inclined to grant anticipatory bail to the petitioners, namely, (1) Kunti Devi; (2) Umashankar Tiwary; and (3) Surendra Mahto, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 14 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Let the petitioners join the investigation and cooperate.

(Rajeev Ranjan Prasad, J)

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