

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25597 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Sahabuddin @ Magaruya, Son of Noor Mohamad, Resident of Village-
Chakarajali, P.O.- Lagunia,
2. Sanjay Kumar Yadav @ Sanjay Rai, Son of Late Mathura Rai, Resident
of Village- Lagunia.
3. Sajjan Mohan Tiwari, Son of Late Bihari Tiwari, Resident of Village-
Lodipur,
All P.S.- Patory, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Shyam Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 10-07-2017 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor appearing on behalf of

the State of Bihar.

 This application, for grant of anticipatory bail,

arises out of Samastipur Town Police Station Case No. 07 of

2017, disclosing offences under Sections 420/120B/34 of

the Indian Penal Code and Section 138 of the Negotiable

Instrument Act.

 A cheque, worth Rs. 11,00,000/- was issued by

co-accused Rajesh Kumar, in favour of the informant, as

consideration for sale of a piece of land through registered



sale deed. On presentation of the said cheque in the bank, the same stood dishonoured. The allegation against these petitioners is that they were present in the registry office when the document was being registered.

Learned Counsel for the petitioners has submitted that except for the vague allegation of involvement of these petitioners as conspirators, there is no allegation against them.

Considering the above submission, this application is allowed.

Let the petitioners, namely, Sahabuddin @ Magaruya, Sanjay Kumar Yadav @ Sanjay Rai and Sajjan Mohan Tiwari, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Samastipur Town Police Station Case No. 07 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required



and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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