

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36496 of 2017

Arising Out of PS.Case No. -1044 Year- 2014 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

- =====
1. Hiramani Devi, W/o Late Ganesh Singh,
 2. Ramjee Singh Son of Late Ganesh Singh,
 3. Kamla Singh Son of Late Laxman Singh, All are the R/o Village-
Prasadi English , P.S.- Arwal, District- Arwal.
 4. Sunaina Devi, W/o Ramayan Yadav,
 5. Anju Devi W/o Kaushal Kumar, Both are the R/o Village- Nayaz
Hussain Bigha, P.S. and District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anil Kumar Yadav Son of Late Nand Kumar Yadav, R/o Neyas Hussain
Bigha, P.S. and District- Arwal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017

Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No. 1044 of 2014 registered for offences punishable under Sections 420, 120B of the Indian Penal Code.

Allegation against the petitioner no.1 is that he sold one piece of land to opposite party no. 2 and thereafter he sold some part of the same land to another person.

Submission of the learned counsel for the petitioners is that petitioner no. 2 is identifier of the sale deed, petitioner no. 3



is witness of the first sale deed, and petitioner nos. 4 and 5 are purchasers in the sale deed. It is further submitted that after executing the sale deed petitioner no.1 came to know that opposite party no.2 in collusion with registering authority has changed some pages of the sale deed, for which he filed complaint petition in the Court of Chief Judicial Magistrate and for that a title suit is also pending, and as such, he executed the second sale deed.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Rakesh, Judicial Magistrate, 1st Class, Arwal in connection with Trial No. 328 of 2017 arising out of Complaint Case No. 1044 of 2014 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make themselves



available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

Manish/-

(Vinod Kumar Sinha, J)

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