

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18363 of 2017

Arising Out of PS.Case No. -614 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Sant Kumar Seth @ Santosh Seth son of Shiv Prasad Seth Resident of Village - Jahanabad, P.S. - Kudara, District - Kaimur at Bhabua.at present address-Indian-Children Academy near Chiraunji Mill, Kudara.
2. Ram Pyari Devi wife of Tulsi Pal
3. Tulsi Pal son of Late Sukhari Pal Both residents of village - Jahanabad, P.S. - Kudara, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Asha Devi wife of Shiv Kumar Gupta Resident of village - Saksari, P.S. - Kudara, District - Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey
For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2017 The petitioners are apprehending their arrest in connection with Complaint Case No. 614 of 2016, registered for offences punishable under Sections 420, 467, 468, 120B, 323 and 504 Indian Penal Code.

Allegation is that complainant purchased some land from petitioner no. 1 but father of petitioner no. 1 filed a civil case for cancellation of the sale deed executed by the petitioner no. 1 and, thereafter he sold the said land to petitioner no. 2 and 3.

It has been submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. In fact it is



the complainant who has cheated petitioner no. 1, for which he has already filed a complaint case being Complaint Case No. 761 of 2016 against the complainant. Further petitioner no. 2 and 3 are the purchaser and has nothing to do with the allegation made by the complainant.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that a civil suit is pending, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabhua in connection with Complaint Case No. 614 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) 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.

(Vinod Kumar Sinha, J)

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