

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57510 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Jitendra Jha, S/o Bipin Bihari Jha,
2. Mani Bhushan Jha, S/o Jitendra Jha,
3. Ajay Kuamr Mishra, S/o Rup Narayan Mishra,
All R/o Village- Chhagraha Brita Tola, P.S.- Sugauli, District- East
Champaran (Motihari).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sugauli P.S.**

Case No. 05 of 2017, G.R. No. 198 of 2017 instituted for the offence
under Sections 420, 406, 468 and 471 of the Indian Penal Code.

As per complaint petition itself, the complainant got rent
receipt issued and got LPC for the aforesaid land on 13.1.2016 from the
Circle Office, Sugauli and obtained rent receipt in the year 2015 from
Halka Karmachari.

It has been submitted that Jamabandi in favour of the
petitioners has already been created vide Jamabandi No. 3256 in the
year 2000-2001 and the rent receipt was issued in their favour. It has
further been submitted that petitioners are bona fide purchaser as they



purchased the land from Sunderdeo Singh on 7.2.1994.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Sugauli P.S. Case No. 05 of 2017, G.R. No. 198 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, East Champaran, Motihari**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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