

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1694 of 2018

Arising Out of PS.Case No. -826 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Mahendra Singh, S/o Late Thithar Singh,
2. Mantoon Singh S/o Mahendra Singh,
Both are R/o Village- Chatar, P.S.- Alauli, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sumitra Devi, W/o Gandhauri Singh, R/o Village- Chatar, P.S.- Alauli,
District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-03-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Complaint**
Case No. 826C of 2015 instituted for the offence under Sections
406, 420 and 120B of the Indian Penal Code.

It is alleged in the complaint petition that petitioners
received Rs.1,10,000/- on 13.01.2014 from the complainant to
execute sale deed with respect to 2 Katthas of land at Registry
Office, Khagaria. It is alleged that when the document was
produced before the Registrar, it came to light that the aforesaid
land does not belong to the petitioners.



Learned counsel for the petitioners has submitted that deal was made for Rs.5,00,000/- but the complainant never paid any amount to the petitioners. Therefore, the sale deed was not executed. It has further been submitted that aforesaid land belongs to the petitioners as they have purchased the same from Mosemat Gayatri Devi, wife of late Yogendra nath Sahay vide sale deed dated 14.6.1999. The copy of the sale deed in question has been enclosed as Annexure-2.

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 **Complaint Case No. 826C of 2015**, 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, Khagaria**, 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 their absence on two consecutive dates without proper and reasonable reason will be



liable to cancel their bail bond 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.

S.Ali/-

(Sanjay Priya, J)

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