

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10317 of 2018

Arising Out of PS.Case No. -149 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Gopal Tiwari, S/o Banarsi Tiwari,
2. Gopinath Tiwari S/o Gopal Tiwari, Both are R/o Village- Rahimpur,
P.S.- Muffasil, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Khagaria (Chitragupta Nagar) PS case no. 149
of 2015 registered for the offences punishable under Section
420/34 of Indian Penal Code.

The case of the prosecution is that the petitioners are
alleged to have sold the land to the informant for a sum of Rs. 35
lacs. approximately. It is the further allegation of the informant
that the said land has turned out to be an acquired land.

The learned counsel for the petitioners submits that
the dispute in question is purely a civil dispute and the informant
has a remedy before the competent court of civil jurisdiction. It is



further submitted that the petitioners are said to be having clean antecedents.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, 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, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Khagaria (Chitragupta Nagar) PS case no. 149 of 2015 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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