

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8653 of 2018

Arising Out of PS. Case No.-167 Year-2017 Thana- NASRIGANJ District- Rohtas

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Birendra Kumar Singh @ Birendra Singh, son of Late Tawky Singh,
Resident of Village- Pokhraham, P.S. Nasriganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehend arrest in Nasriganj P.S. Case No.
167 of 2017, instituted for the offence under Sections
306,419,420,34 of the IPC.

It is alleged in the written report that father of the
informant had a talk with this petitioner for purchase of land of
area 38 decimals for consideration of Rs. 4,15,000/- in presence
of Upendra Kumar Yadav. The father of the informant paid the
amount on different dates as mentioned in the written report.
But sale deed was not executed. It is alleged that father of the
informant committed suicide on account of aforesaid act of the
accused persons.

Counsel for the petitioner has submitted that the petitioner
never sold the land with father of the informant. The informant



has lodged a case against the petitioner, after death of his father, just to give pressure to the petitioner due to village politics.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nasriganj P.S. Case No. 167 of 2017, to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bikramganj, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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