

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12840 of 2018

Arising Out of PS.Case No. -259 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Nawal Kishore Mahto, S/o Narayan Mahto,
 2. Ramawati Devi, W/o Nawal Kishore Mahto, both residents of village-
Genhariya, Pachgachiya, P.S.- Sahodara, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s: Mr. Anil Kumar Singh 1, APP

Mr. Bimlesh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-04-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioners apprehend their arrest in **Shikarpur P.S.**

Case No.259 of 2016 instituted for the offence under Section(s)
447, 420, 467, 471, 120-B Indian Penal Code.

Counsel for the petitioners has submitted that
petitioners are purchasers of the land after paying proper
consideration amount.

In the Complaint Petition, which was sent to P.S.
under Section 156(3) Cr.P.C., it is alleged that disputed land, in
question, came in the share of maternal grand uncle and mother
of the Complainant in Partition Suit No.133 of 1968. Accused
No.1 has executed sale deed on 21.12.2015 with respect to 6
Kaths of aforesaid disputed land in favour of the petitioners.



Counsel for the informant has appeared and opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Shikarpur P.S. Case No.259 of 2016**, 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 the **Chief Judicial Magistrate, Bettiah, West Champaran**, 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 bonds 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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