

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21713 of 2018

Arising Out of P.S.Case No. -1464 Year- 2015 Thana -COMPLAINT CASE District- BANKA

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1. Niranjana Mandal, S/o Bhola Mandal,
 2. Sona Devi @ Soni Devi W/o Niranjana Mandal,
 3. Santosh Kr. Mandal S/o Bhola Mandal,
 4. Sanjeev Mandal S/o Bhola Mandal, All R/o Village- Madadiha, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramchandra Mandal S/o Late Huro Mandal, R/o Village- Madadiha, P.S.- Banka, Distt.- Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners, learned counsel for the State and the Complainant.

The petitioners apprehend arrest in connection with Complaint Case No.1464 of 2015 registered for an offence under Sections 420 and other Sections of the IPC.

It appears that the complainant and father of petitioner nos.1, 3 and 4 are full brothers. The wife of complainant executed sale deed in favour of Indu Devi who is also one of the co-accused with respect to area measuring 5 kathas of land for a consideration amount of Rs.19,000/-. The complainant also executed a deed of relinquishment in favour of the mother of



petitioner nos.1 , 3 and 4 on 21.11.2011.

It has been submitted that now the complainant has started denying his execution of sale deed in order to harass the petitioners and has lodged this case with false and frivolous allegation. The allegation of theft of house hold articles is also false. The contention of the petitioners finds support from the registered sale deed and deed of relinquishment which has been annexed with this application. The dispute between the parties is purely a civil dispute. The complainant is challenging the said sale deed as fraudulent act of these petitioners.

The learned APP and the complainant opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioners in the event of their arrest or surrender before the court below within six weeks from today 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 Sri Roshan Kumar, Judicial Magistrate, Ist Class, Banka in connection with Complaint Case No.1464 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient



- immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

B.Kr./-

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