

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36124 of 2018

Arising Out of P.S.C.ase No. -4228 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Kamal Dev Ram @ Kamal Dev Chauhan, S/o Pardesh Wo Ravidash,
2. Sugrib Chauhan S/o Braj Mohan Chauhan,
3. Saroj Chauhan S/o Dev Sharan Chauhan, All are R/o Majhuwa, P.S.-
Sadar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Baudhi Devi D/o Late Sunder Mahto W/o Roop Lal Mahto, R/o
Majhuwa, P.S.- Sadar Muffasil Rani Patra, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2018

Heard learned counsel for the petitioners as well as the
State.

The petitioners apprehend their arrest in C. A. Case No.
4228/2013, instituted for the offence punishable under Section
420/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that it
is a matter of pure civil dispute. In the complaint petition, the
complainant has alleged that she came to know from the Registry
Office, Purnea that co-accused Dilip Chauhan and other accused
persons including the petitioners are trying to grab her land by
putting a fake lady as Sanjhiya Devi. They got executed a forged sale
deed on 11.08.2010 and also got the land mutated in their names.



From the complaint petition itself, it appears that it is a matter of pure civil dispute.

Considering the facts and circumstances of the case, the 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 C. A. Case No. 4228/2013, 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 Sri P.K. Bharti, learned Judicial Magistrate, 1st Class, Purnea, subject to the conditions as laid down under Section 438(2) of the 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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