

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51767 of 2018

Arising Out of PS.Case No. -253 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Pummi Devi, W/o Rajan Ojha, R/o Vill.- Sonbarsa, P.S.- Gopalpur, District- West Champaran.
 2. Malik Pathak @ Malik Kumar Pathak @ Malik Kumar S/o Shambhu Pathak, R/o Vill.- Bharwalia, P.S.- Manjhaulia, District- West Champaran.
 3. Brijmohan Das S/o Mahadeo Das, R/o Vill.- Bharwalia, P.S.- Manjhaulia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-10-2018 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 Manjhaulia P.S. Case No. 253 of 2017 registered for the offence punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

The allegation as per the prosecution is that a piece of land was sold by one Shambhu Pathak by way of a sale deed in favour of the petitioner no. 1 and the petitioner nos. 2 and 3 were the witnesses. It is alleged that the said sale deed has been clandestinely executed inasmuch as the said Shambhu Pathak is not the full owner of the said land.



The learned counsel for the petitioners has submitted that the petitioner no. 1 is the purchaser, hence he has got no role to play in the alleged incident and moreover the petitioner nos. 2 and 3 are mere witnesses. In fact the wife of Shambhu Pathak and the other co accused persons have been granted bail by this Court by an order dated 11.01.2018 passed in Cr. Misc. No. 1577 of 2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 learned A.C.J.M., Bettiah (West Champaran) in connection with Manjhaulia P.S. Case No. 253 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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