

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52279 of 2018

Arising Out of PS. Case No.-198 Year-2017 Thana- SAHIYARA District- Sitamarhi

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1. Vishwanath Pandit @ Vishwonath Pandit S/o Chandeshwar Pandit
 2. Mukesh Sharma S/o Khenhari Sharma
 3. Brijan Thakur @ Birjan Thakur S/o Ram Ashish Thakur
 4. Sri Chand Pandit @ Sri Chandra Pandit S/o Feku Pandit All are resident of Village- Mirjadur, P.S. Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 427, 420, 465, 467, 468, 120B, 354 and 452 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons took the husband of the informant in their collusion and got executed sale deed from him. They came to the house of the informant and asked her to vacate and on denial they entered into the house and assaulted her son and also took away some cash.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners



have been made accused due to mistake fact. The petitioner no. 2 is alleged to have purchased land from petitioner no. 4 relating to which the wife of the petitioner no. 4 instituted the present case making allegation of sale of land taking place by way of fraud and cheating. She further alleged in respect to her husband i.e. petitioner no. 4 that he is missing. The entire prosecution has arisen from a civil dispute.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sahiyara P.S. Case No. 198/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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