

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 65603 of 2018

Arising Out of PS. Case No.-557 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Kanhaiya Prasad Sinha, S/o Late Radhaballabh Prasad @ Late Radhaballabh,
 2. Raj Kumar Gahlaut, S/o Rampati Gahlaut, Both Residents of Village- Budhaul, P.S.- Amas, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Doman Mistry, S/o Late Kanhai Mistry, Resident of Village- Chilmi Kala, Barki Chilmi, P.S.- Amas, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bhaskar Shankar
For the Opposite Party/s : Mr Sanjay Kumar Tiwary

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Complaint Case No 557 of 2017 registered under Sections 323, 420 of Indian Penal Code.

It is submitted that the prosecution case is based on extraneous considerations. Entire allegations are false since only part of the land comprising three plots No 290, 293 and 292 were sold to the complainant. The alleged sale to petitioner No 2 Raj Kumar Gahlaut is of land which is different than that sold to petitioner No 1. The disputes are civil for which one



Title Suit No 40 of 2017 is also pending adjudication.

Considering the aforesaid submissions, prayer for anticipatory bail is allowed. In the event of their arrest or surrender before the Court below within four weeks from today, the petitioners above named shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Sherghati, Gaya in Complaint Case No 557 of 2017 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Madhuresh Prasad, J)

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