

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69663 of 2018

Arising Out of PS. Case No.-740 Year-2018 Thana- COMPLAINT CASE District- Jamui

-
1. Smt. Suman Devi, W/o Shyam Yadav
 2. Sunder Pandey S/o Late Durga Pandey
 3. Shiv Shankar Pandey S/o Sundar Pandey
 4. Pradep Pandey S/o Sundar Pandey All are Resident of Village-Dhuhhuldih, Police Station Barhat, District-Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shanti Sharan Pandey S/o -Late Durga Pandey Resident of Village-Guguldih, P.S.-Barhat, District-Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-12-2018 A counter affidavit has been brought on record on behalf of complainant/opposite party no. 2 during the course of argument.

Let it be taken on record.

Heard the learned counsel for the petitioners, the complainant and the State.

The petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 740C of 2018 in which cognizance has been taken under Sections 120(B), 420, 323, 147, 467 and 468 of the Indian Penal Code.

From the perusal of the complaint petition, it clearly appears that there is a civil dispute between the



parties, though the allegation is of procuring a forged sale deed.

Learned counsel appearing for the opposite party no. 2/complainant has stated that the petitioners do not deserve anticipatory bail for the simple reason that they have given reference of only nine cases lodged against them earlier than this case, whereas the fact of the matter is that they have been made accused in not less than 14 cases.

Learned counsel appearing for the opposite party no. 2/complainant has further intimated this court that the petitioners have not even complied with the directions passed by this court on 03.12.2018 viz. of furnishing the details of their criminal antecedents.

Learned counsel appearing for the petitioners has however urged before this court that petitioner no. 2 is the own brother of the complainant/opposite party no. 2 whereas petitioners no. 3 and 4 are his sons. The petitioner no. 1 is said to be subsequent purchaser of a plot of land over which there is a competing claim of the petitioner no. 2 as well of the complainant/opposite party no. 2.

considering the nature of accusation as also taking into account the fact that earlier also many cases were lodged against the petitioners at the instance of



complainant/opposite party no. 2, the petitioners above named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Jamui in connection with Complaint Case No. 740C of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

