

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73040 of 2018

Arising Out of PS. Case No.-126 Year-2016 Thana- EKMA District- Saran

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1. Kamla Kuar W/o Late Ram Ayodhya Prasad,
 2. Bhajan Rai S/o Late Jaleshwar Rai,
 3. Ramjee Rai S/o Jagdish Rai
 4. Laxman Rai S/o Jagdish Rai, All resident of Village- Rampur Bindalal, P.S. Ekma, District- Saran.
 5. Pappu Kumar Singh @ Pappu Singh S/o Kamaldeo Singh, resident of Village- Senduar, P.S.- Ekma, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra
For the Opposite Party/s : Mr. Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2018 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail on behalf of the petitioners in connection with Ekma P.S. Case No. 126 of 2016 (Complaint Case No. 1731 of 2016), registered under Sections 323, 341, 354, 379, 406, 420, 468, 467 and 120-B of the Indian Penal Code.

Based on a complaint petition, the FIR has been registered under section 156(3) of Cr. P.C. The allegation is that petitioner no.1 has executed a sale deed in favour of



petitioner nos. 2, 3 and 4 in respect of a piece of land which, in fact, belongs to the informant. Petitioner no.5 is said to be the witness of the said registered sale deed.

Learned counsel, appearing on behalf of the petitioners, has submitted that there is a suit pending between the parties in respect of the dispute regarding the land, in question. He has also submitted that the dispute, if any, between the parties is of civil nature.

I find substance in the submission made on behalf of the petitioners.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned CJM, Saran at Chapra in connection with Ekma P.S. Case No. 126 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their



part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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