

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52801 of 2018

Arising Out of PS. Case No.-1880 Year-2015 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Kavindra Mahto Son of Bhola Mahto
 2. Birendra Mahto Son of Bhola Mahto
 3. Dharmendra Mahto Son of Bhola Mahto
 4. Bhola Mahto Son of Ramjee Mahto, All residence of Village - Bhutahi, P.S. - Sonbarsa, Distt. - Sitamarhi.
 5. Kishori Mahto Son of Prasad Mahto, Resident of Village - Bhutahi, P.S. Sonbarsa, Dist. - Sitamarhi, Stamp Vender, Sub-Registrar Office Bhutahi.
 6. Rajkishor Mahto Son of Prasad Mahto, Resident of Village - Bhutahi, P.S. Sonbarsa, Dist. - Sitamarhi, Katib Sub-Registrar Office Bhutahi.
 7. Rajdev Mahto S/o Bharat Mahto, Resident of Village - Dighi Kala, P.S. - Bathnaha, Distt. - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ganga Prasad, son of alte Biltu Sah, resident of village Bhutahi, Ward No.6, P.S. Sonbarsa, Dist. Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Raja Ram Rai, Advocate Miss Monika, Advocate
For the State	:	Smt. Sucheta Yadav, APP
For opposite party No.2	:	Mr. Hans Lal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioners, learned

APP for the State and learned counsel for the opposite party

No.2.

The petitioners are apprehending their arrest in a case
registered under Sections 468, 420, 120B of the Indian Penal
Code.

Allegation is that the accused persons including the



petitioners committed forgery and cheating.

It has been submitted on behalf of the petitioners that the petitioners No.4 to 7 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 of fact. The matter relates to civil dispute. Hence, no criminal offence is made out against the petitioners. A title suit is also pending in the court below.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sitamarhi in connection with Complaint case No. C1-1880 of 2015, Tr. No.2631 of 2017, 2282 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to



make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation.

(Sudhir Singh, J)

Narendra/-

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