

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15688 of 2018

Arising Out of PS. Case No.-208 Year-2013 Thana- BUXAR COMPLAINT CASE District-
Buxar

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1. Rahul Kumar Singh, S/o Nand Bihari Singh, R/o Village-
Chilahari ,P.S.- Dumaraon, District- Buxar.
 2. Deepak Tiwari @ Deepak Kumar Tiwari S/o Manoj Tiwari,
 3. Ashutosh Kumar Tripathi S/o Amresh Chandra Tripathi, Both R/o
Dumaraon, South Tola, Ward No. 21, P.S.- Dumaraon, District-
Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shayam Dev Kharwar S/o Late Ramchandra Kharwar, R/o Dumaraon, Badka
Angana, Ward No. 18, P.S.- Dumaraon, District- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar
For the Opposite Party/s : Mr. Sri Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-06-2018 Heard learned counsel for the petitioners, learned APP for
the State as well as counsel for the informant.

Petitioners apprehend their arrest in Complaint Case No.
208(c)/2013 instituted for the offence under Section(s) 420 and
120B of the Indian Penal Code.

It is alleged in the complaint petition that complainant
was working as servant of petitioner No. 2. He was in need of
money. Petitioner No. 2 got power of attorney from him of land
bearing Khata No. 60, Plot No. 108, area 6 Kattha and 5 Dhur in
the name of the petitioner No. 3. On 18-12-2012, the petitioner
called the complainant and the witnesses and took them to



registry Office on the pretext that his land would be sold for Rs. 3,43,750/-. The petitioners got their thumb impression on the plain paper. Later on, the complainant came to know that petitioners got their land bearing old Khata No. 379, old plot No. 993, area 62 and ½ decimal registered in their names. The complainant demanded the money then petitioners abused and gave threat.

Learned counsel for the petitioners has submitted that complainant himself has executed the sale deed in the Registry Office. He has not taken any steps for cancellation of the sale deed. If no consideration amount was paid to him, it is a matter of civil dispute.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Buxar complaint Case No. 208C/2013, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Buxar subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property



within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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