

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25666 of 2018

Arising Out of PS.Case No. -735 Year- 2015 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Surendra Mahto, Son of Late Nandu Mahto,
2. Mahendra Mahto, Son of Late Nandu Mahto, Both are resident of
Village- Shivdaspur, P.S.- Vishanpur, District- Darbhanga.

.... Petitioners

Versus

1. The State of Bihar.
2. Tej Narayan Mahto, Son of Late Nandu Mahto, Resident of Village-
Shivdaspur, P.S.- Vishanpur, District- Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-06-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with
Protest-cum- Complaint C.R. No. 735 of 2015 corresponding T. R.
No. 126 of 2017, registered for offences punishable under Sections
467, 468, 323 and 504 of the Indian Penal Code.

The allegation against the petitioners is that the
petitioners with a view to grab the land of the complainant by
committing forgery executed the sale deed in their favor in
conspiracy with other accused person, namely, Birendra Singh but
the said land does not belong to Birendra Singh.

Submission of the learned counsel for the petitioners is
that petitioners have committed no offence and the police after
investigation found that nature of the case is civil dispute. It is also
submitted that the police has already submitted final form but later



on learned Additional Chief Judicial Magistrate, Darbhanga Magistrate has taken cognizance against them.

Heard learned APP and learned counsel for the informant oppose the prayer for bail and stating that no person named as Birendra Singh ,present in his village, is totally false.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of his arrest or surrender be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each in connection with Protest-cum- Complaint C.R. No. 735 of 2015 corresponding T.R. No. 126 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before the police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

Sudha/Priyanka/-

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