

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48480 of 2017

Arising Out of PS.Case No. -1121 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ram Pravesh Singh Son of Sri Bhagwan Singh
2. Mithilesh Kumar @ Mithilesh Singh, Son of Ram Pravesh Singh Both
resident of Village Sabarchak, P.S.-Naubatpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sahdev Singh, Son of Late Dwarika Singh Resident of Mohalla-B.M.P.
Road, Khajpura, P.O>-Bihar Vetnary College, P.S. Hawaii Adda, District-
Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No.
1121 C of 2015 instituted for the offence under Section-420 of the
Indian Penal Code.

It has been submitted that petitioners were merely witness
on the agreement of sale which was entered into between the accused
No. 1 Pappu Kumar and the complainant.

From the complaint petition itself, it is apparent that an
amount of Rs. 4,00,000/- as earnest money was received by accused
No. 1 Pappu Kumar.

These petitioners are father and elder brother of co-accused
Pappu Kumar.



Counsel for the complainant has appeared and opposed the prayer.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Complaint Case No. 1121 C of 2015 to the satisfaction of Sri Ranjeet Prasad, learned Judicial Magistrate-Ist Class, Danapur, Patna subject to condition as laid down u/S 438(2) of the 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 his absence on two consecutive dates without proper and reasonable reason, will be liable to cancel their bail bond 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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