

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30338 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Satyendra Singh, S/o Late Bijli Singh,
2. Rakesh Mahto @ Rakesh Kumar S/o Badri Mahto @ Badri Mahto,
3. Mohan Kumar Mahto @ Mohan Mahto S/o Badri Mahto @ Badri
Mahato,
4. Badri Mahto @ Badri Mahto S/o Late Sukhal Mahto, All Residents of
Vill.- Sagar Churaman, P.S.- Kesariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Smt. Pronati Singh

For Informant : Mr. Karandeep Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State as well as informant.

The petitioners seek anticipatory bail in a case instituted
for the offences under Sections 467, 468 and 384 of the Indian
Penal Code.

Allegation has been made that petitioner no.1 has illegally
sold the land to petitioner no.4 (Badri Mahto) with the
assistance of petitioner nos. 2 and 3. As per informant grand
father of petitioner no.1 has already sold the land in 1953 and
since then he is in possession of the land which is binding upon
him and now he cannot sell the land and submits that petitioner
no.1 is not entitled to bail and similarly petitioner nos. 2 and 3



are also not entitled for bail whereas learned counsel for the petitioners submits that petitioner no.4 is purchaser and petitioner nos. 2 and 3 are sons of purchaser and land has been sold by petitioner no.1 treating the land of his own. These are disputed question can be settled in civil suit.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Satyendra Singh, Rakesh Mahto alias Rakesh Kumar, Mohan Kumar Mahto alias Mohan Mahto and Badri Mahto alias badri Mahato, be released on anticipatory 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 Additional Chief Judicial Magistrate-II, Motihari in connection with Kesariya P.S. Case No.18 of 2018, G.R. No. 411 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for investigation or interrogation they will present themselves before the police. In the event of being absent on two consecutive dates this order will be treated to have been withdrawn.

(Shivaji Pandey, J)

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