

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10629 of 2018

Arising Out of P.S.Case No. -2 Year- 2014 Thana -JAHANABAD District- JEHANABAD

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1. Upendra Yadav,
 2. Nagendra Yadav,
 3. Birendra Yadav, All son of Late Surendra Yadav @ Mahendra Yadav
@ Late Surendra Singh, R/o Village Kariam Tola Lakshmi Bigha, P.S.
and District- Arwal.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Sewak Prasad, Advocate
For the Opposite Party : Mr. Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 28-02-2018 Heard.

The petitioners apprehend arrest in connection with Jehanabad P.S.Case No.02 of 2014 registered for an offence under Sections 420, 467 and 471/34 of the IPC.

The allegation as per complaint petition is that these petitioners fraudulently got a sale deed executed by the petitioner.

Learned counsel for the petitioners submits that the mother of these petitioners had purchased 47 decimals land of plot no.1573 from the complainant by virtue of registered sale deed dated 20.04.2010 and since then the family of these petitioners are coming from the possession of the land. The allegation of impersonation is vague and omnibus. A title suit no.73 of 2013 is also pending between the mother of these petitioners and one Anil



Kumar Yadav who is also claiming land from the complainant.

The dispute between the parties is purely a civil dispute.

The learned APP opposed the submissions.

Considering the nature of allegation, prayer for anticipatory bail is allowed. Let the above named petitioners in the event of their arrest or surrender before the court below within six weeks from today 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 CJM, Jehanabad in connection with Jehanabad P.S.Case No.02 of 2014 in Complaint Case No.1104 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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