

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10795 of 2018

Arising Out of PS.Case No. -197 Year- 2017 Thana -KUTUMBA District- AURANGABAD

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1. Meena Kuer @ Mosm Meena Kuer, Daughter of Late Raghuni Tiwari, Wife of Late Bhaiya Ram Pathak.
 2. Amit Pathak, Son of Late Bhaiya Ram Pathak, Both are resident of Upadhyah Bigha, P.S.- Tandwa, District- Aurangabad (Bihar).
 3. Saudagar Yadav, Son of Late Banshi Yadav.
 4. Bijendra Yadav, Son of Bholu Yadav.
 5. Lalan Yadav, Son of Late Birju Yadav.
 6. Prem Yadav, Son of Late Birju Yadav.
 7. Bholu Yadav, Son of Late Tulsi Yadav.
 8. Binod Yadav, Son of Saudagar Yadav,
 9. Mahendra Yadav, Son of Tapeswar Yadav. 3 to 9 are resident of Village- Loharchak, P.S.- Kutumba, District- Aurangabad (Bihar).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2018 Petitioners apprehend their arrest in connection with Kutumba P.S.Case No. 197 of 2017 registered under Sections 147, 323, 120B, 414, 420, 467, 468 and 504/34 of the Indian Penal Code.

Allegation as per FIR is that petitioner No.1 has executed a sale deed in favour of the informant and later on she has executed a second sale deed in favour of petitioners Nos. 3 to 9 and petitioner No.2 is the son of petitioner No.1, who has identified the second sale deed.



Submission of learned counsel for the petitioners is that a forged sale deed has got executed by the informant earlier and when petitioners came to know they filed a suit for cancellation of the sale deed, which is pending in the Civil court and petitioner No.2 is son of petitioner No.1, who has only identified the sale deed and petitioners Nos. 3 to 9 are purchasers.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail on the ground that after they got possession of the land, petitioner No.1 has executed another sale deed with a view to disturb their possession.

Having heard both sides and in view of facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender, be release on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Aurangabad, in connection with Kutumba P.S.Case No. 197 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that (1) one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and (2) petitioners shall co-operate in investigation and appear



before the Investigating Officer as and when required, except on genuine ground, failing which their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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