

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21765 of 2018

Arising Out of P.S.Case No. -241 Year- 2017 Thana -KURSAKANTA District- ARRARIA

- =====
1. Dilip Mandal son of late Sanichar Mandal
 2. Raj Kumar Mandal son of late Sanichar Mandal
 3. Sharvan Mandal son of late Sanichar Mandal All are residents of village
- Chikni, Police Station - Kursakanta, District - Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 26-04-2018

Heard.

The petitioners apprehend arrest in connection with Kursakanta P.S.Case No.241 of 2017 registered for an offence under sections 406, 420, 467 and 471/34 of the IPC.

The allegation as per complaint case is that these petitioners fraudulently created a sale deed alleged to be executed by their father and on the basis of said sale deed got their names mutated. The petitioners have thus cheated the complainant by creating forged and fabricated documents.

The learned counsel for the petitioners submits that the complainant is full brother of these petitioners. The father of the petitioners got mutated during his life time and there is absolutely no sale deed in favour of these petitioners. The dispute between



the parties is purely a civil dispute and no offence as alleged against the petitioners.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, 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 ACJM-V, Araria in connection with Kursakanta P.S.Case No.241 of 2017 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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