

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34965 of 2018

Arising Out of PS.Case No. -28 Year- 1994 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Brij Bihari Singh, Son of Jag Narayan Singh.
 2. Chandrama Singh, Son of Ram Kawal Singh.
 3. Ajay Kumar Singh, Son of Sardar Singh. All Resident of Village- Khaira, Police Station- Kochas (Karagahar), District- Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Phuljhari Devi, wife of Lalu Singh, Resident of Village- Kathraiee Police Station- Karghar, District- Rohtas, At present Resident of Village- Siswan, Police Station- Kudra, District- Kaimur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bhabua P.S.Case no.28 of 1994 , registered for offences punishable under Sections 419, 420, 467, 471 of the Indian Penal Code.

Allegation against the petitioners is that they have sold the land in share of the complainant /informant and for that a case has been lodged.

Submission of the learned counsel for the petitioners is that the complainant is the *Mausi* of the petitioner no.1 and there was share dispute and later on compromise has also been filed, which will appear from the impugned order but the case record was



called and it has been reconstructed, as such no order could be passed on the compromise petition.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Kaimur, Bhabhua in connection with Bhabua P.S.Case No.28 of 1994 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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