

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9767 of 2018

Arising Out of PS. Case No.-544 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Dolly Chandan @ Dolly Kumari, Wife of Kejian Alois @ Chandan,
 2. Kejiyan Alois @ Chandan, S/o Late Alois Kashmir,
 3. Taresa Tarsiuous alias Pushpa Tarasious Kashmir @ Pushpa, W/o Tarasious Kashmir,
 4. Robart Tarasious @ Pradeep, S/o Tarasious Kashmir, All four resident of Mohalla- Main Road Narainapur Ramnagar, P.S.- Ramnagar, Distt- West Champaran.
 5. Albart Denis Michel, S/o Michel Andro, Resident of Mohalla- Christian Quarter Bettiah, P.S.- Bettiah Town, District- West Champaran.
 6. Stela Remi, W/o Late Remi Ronaldo, Resident of Vill- Chakhani, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rozalin Alois, W/o Late Alois Kashmir, Resident of Mohalla- Main Road Narainapur, Ramnagar, P.S.- Ramnagar, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vijay Kr Singh No. 1
For the Opposite Party/s :	Mr. Sri Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 01-05-2018 Heard learned counsel for the petitioners and learned APP
for the State as well as learned counsel for the informant.

Petitioners apprehend their arrest in complaint case no.
544-C/16 instituted for the offence under Section(s) 467,
468,471 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
instant case has been filed due to family dispute with regard to
property. It is further submitted that Title Suit no. 90 of 2015 is



still pending between the parties. In the instant case there is allegation that the complainant who is an old lady was told to give thumb impression on some papers on the pretext of treatment and government aid. Thereafter, the complainant heard rumour that Dolly Chandan @ Dolly Kumari has got registered sale deed with respect to some land along with house in her favour which is the share of another son of complainant.

A detailed counter affidavit was directed to be filed by opposite party no.2 with regard to allegation made against these petitioners.

From perusal of the counter affidavit, this Court does not find any description made with regard to the sale deed specially executed by these petitioners of the property.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Tr. no. 1860 of 2017, arising out of complaint case no. 544-C/16 they shall 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 the learned A.C.J.M. 1st Bagaha, Dist. West Champaran, subject to the conditions as laid



down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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