

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46697 of 2018

Arising Out of PS. Case No.-132 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Bhabhua (Kaimur)

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1. Ajit Mali, S/o Ram Bhajan Mali,
 2. Ram Bhajan Mali, S/o Kashi Mali,
 3. Deepchan Sah @ Deepchan Kanu, S/o Late Dhannu Sah,
 4. Indradeo Singh Patel, S/o Govind Patel, Petitioner no.1 to 4 are resident of Village- Jaitpur Kala, P.S.- Bhagwanpur, District- Kaimur (Bhabua).
 5. Rameshwar Mali, S/o Late Chandrma Mali, Resident of Village- Ledari, P.O.- Chotaka Amaon, P.S.- Chand, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Pujan Mali, S/o Kashi Mali, Resident of Jaitpur Kalan, P.S.- Bhagwanpur, District- Kaimur, Presently residing at Room No.125, Rahul Nagar No.2, Tranjik Camp Near Busbada Patil Engineering College, Sibon, Trambe Road Chunna Bhatti, Mumbai Pin Code- 400022.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar
For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-08-2018 Heard learned counsel for the petitioners , learned APP
for the State and learned counsel for the complainant.

Petitioners apprehend their arrest in complaint case no.
1321 of 2017 instituted for the offence under Section(s) 323,
341, 420 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
petitioners have already filed Title suit no. 1129 of 2017 on
9.11.2017 for specific performance of contract against the



complainant. The complainant has filed the present complaint to lay pressure on the petitioners not to proceed with the Title Suit.

In the written report, it is alleged that one forged Mahadanama has been prepared in the name of complainant with respect to his piece of land. It is a matter of purely civil dispute for which the complainant has civil remedy.

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 complaint case no. 1321 of 2017, 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 ACJM 5th Kaimur at Bhabhua, 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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