

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36039 of 2018

Arising Out of PS.Case No. -481 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Suman Kumar Son of Binod Bihari Mandal Das
2. Binod Bihari Mandal Son of late Rajendra Mandal Both are Resident of
Village- Nandgram P.O. Dholbajja, P.S. Dholbajja, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Kumar Son of Sri Kokay Mandal Resident of Village- Bijay,
Post Dholbajja, P.S. Rupouli, District- Purnea.

.... 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 23-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.481 of 2016 , registered for offences punishable under Sections 506, 420, 468 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that the petitioner no.1 and accused no.2 executed sale deed with respect to a piece of land of the informant-complainant in the year, 2013 and thereafter in the year, 2016 the complaint case had been filed stating that on enquiry from the Anchal Office, no paper of the sale or purchase was found there as such the present case has been



lodged.

Submission of the learned counsel for the petitioners is that as the petitioner no.1 is the seller and petitioner no.2 is the witness and the case has been lodged after three years of the execution of the sale deed. Furthermore the petitioner no.1 has purchased the land from one Swarnlata Devi, whose father-in-law was Khatiani Raiyat and moreover the case is in the nature of civil dispute.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the land does not belong to the petitioners.

Having heard both sides and in view of the facts and circumstances, as stated above let the petitioners, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will 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 Sri D.K. Yadav, J.M. Ist Class, Naugachia, District Bhagalpur in connection with Complaint Case No.481 of 2016 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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