

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61152 of 2017

Arising Out of PS.Case No. -654 Year- 2017 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Arbind Kumar Singh, S/o Late Rajbanshi Prasad,
2. Munni Devi @ Kumari Munne Devi W/o Arbind Kumar Singh, Both are
R/o Village- Baswaria Jagdamba Nagar, P.S.- Bettiah Town, District- West
Champaran.
3. Laxami Kunwar @ laxami Devi W/o Late Brij Kishore Prasad, R/o
Village- Naya Ganw, P.S.- Kesharia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Uma Kumari D/o Late Kailash Prasad Singh, R/o Village- Machhahan,
P.S.- Motihari Muffasil, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Trial No. 2916 of 2017 arising out of Complaint Case No. C-654 of 2017 instituted for the offence under Sections-406 and 420 of the Indian Penal Code.

Counsel for the petitioners submits that petitioner no. 3 is sister of the complainant. Petitioner no. 1 is son-in-law of petitioner no. 2 and petitioner no. 2 is daughter of petitioner no. 3. Notice was issued to complainant, which was personally received by complainant as per office note but none appeared.

In the complaint it is alleged that petitioner no. 3 who is own sister of the complainant has brought the complainant to her house for proper care. She started living with her. It is further submitted that showing the allurements of money, petitioner no. 1 got registered the sale deed in respect of land of her share. Complainant was assured that



consideration money will be deposited in her account but the same was not deposited, then complainant made demand of money but the accused persons neither returned her money nor the land.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Trial No. 2916 of 2017 arising out of Complaint Case No. C-654 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Motihari Sadar, East Champaran subject to condition as laid down u/S 438(2) of the 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 petitioner 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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