

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63271 of 2017

Arising Out of PS.Case No. -129 Year- 2017 Thana -SONBERSA District- SAHARSA

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1. Jai Prakash Mehta @ Ram Murari Mehta @ Ram Bharat Mehta, S/o Late Ram Rakshi Mehta,
2. Manju Devi, W/ Jai Prakash Mehta @ Ram Murari Mehta @ Ram Bharat Mehta,
3. Pawan Kumar @ Pawan Kumar Yadav, S/o Premlal Yadav, All R/o Village- Kashnagar P.S.- Sonbarsa Raj (Kashnagar O.P.), District- Saharsa.
4. Pawan Yadav, S/o Ram Chandra Yadav, R/o Pirnagra, P.S.- Beldour, District- Khagariya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 23-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Sonbarsa Raj (Kashnagar O.P.) P.S.Case No.129 of 2017 , registered for offences punishable under Sections 341, 323, 379, 406, 467, 468/34 of the Indian Penal Code.

Allegation against the petitioners is of selling the land which is not in the share of the complainant by creating a forged and manufactured sale-deed.

Submission of the learned counsel for the petitioners is that after partition 6.25 acre of land has been allotted in the share of both the petitioner and the complainant and the petitioner has sold



the share of his own land and nothing from the share of the complainant.

Heard learned A.P.P. and the learned counsel for the complainant. They have opposed the prayer for bail stating that on the basis of the forged documents share of the land of the complainant has been sold by the petitioner as such this is not a fit case for grant of anticipatory bail.

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 receipt of the order and on their surrender they 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 C.J.M., Saharsa in connection with Sonbarsa Raj (Kashnagar O.P.) P.S.Case No.129 of 2017 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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