

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2782 of 2018

Arising Out of PS.Case No. -1509 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Birendra Sah, son of late Baidhnath Sah, r/o village Khalilpur, P.S. Karja,
Distt. Muzaffarpur at present r/o village Rampur Kesho @ Malahi, P.S.
Paroo, Distt. Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Raghunath Sah, son of late Shiv Prasad Sah, r/o village Rampur Kesho
@ Malahi, P.S. Paroo, Distt. Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Vidyarthi, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Complaint**

Case No. 1509 of 2014, Trial No. 4916 of 2017 instituted for the
offence under Sections 120(B), 420, 467, 468, 471 and 379 of the
Indian Penal Code.

Learned counsel for the petitioners has submitted that
complainant has entered into an agreement with petitioners for
sale of land for consideration amount of Rs.7,00,000/- and he has
already paid Rs.5,00,000/- to the complainant. The petitioner sent
legal notice to the complainant. Thereafter, the instant case has
been filed by the complainant against the petitioner.



As such, it is a matter of civil dispute between the parties.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Complaint Case No. 1509 of 2014, Trial No. 4916 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 **learned Judicial Magistrate, 1st Class, Muzaffarpur**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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