

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13131 of 2018

Arising Out of PS. Case No.-661 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Pannalal Yadav, son of Late Bhagrasan Yadav,
Petitioner No. 1 is Resident of Village- Garibshahi, Police
Station- Bagaha, District- West Champaran at Bettiah.
 2. Raja Yadav, son of Late Mohan Yadav
 3. Ranglal Yadav, son of Late Moti Yadav
 4. Subhash Yadav, son of Singasan Yadav,
Petitioner No. 2 to 4 are Residents of Village- Bathwariya,
Police Station- Bagaha, District- West Champaran at Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi, wife of Nippu Prasad, Daughter of Late Lalbabu Prasad,
Resident of Village- Jamuniya, Police Station- Chautarwa (Bathwariya),
District- West Champaran at Bettiah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 17-12-2018

Heard learned counsel for the petitioners.

Petitioners apprehend arrest in connection with
Complaint Case No.C.661 of 2016 registered for the offences
under Sections 406, 420, 467, 468, 471 and 504/34 of IPC.

It is alleged that the complainant had agreed to
execute sale deeds in favour of petitioner nos.1 to 3 with respect
to her land on payment of Rs.4 lacs. The petitioners in collusion
with each other fraudulently obtained signature of complainant
on the stamp paper with wrong recitals and did not pay



consideration money to her. When the complainant demanded money, all the accused persons abused and threatened her.

It has been submitted that the complainant as per recital has already received entire consideration money and not a single farthing is left with the petitioners. The allegation of cheating against the petitioners is false and frivolous.

The complainant was noticed but in spite of service of notice she did not appear to oppose the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail is allowed and the above named petitioners, in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, West Champaran at Bettiah in connection with Complaint Case No.C.661 of 2016 (Trial No.1878 of 2017) subject to the conditions as laid down under Section 438(2) of 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 Kumar, J)

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