

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4947 of 2018

Arising Out of PS.Case No. -211 Year- 2012 Thana -KOTWALI District- MUNGER

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1. Chhoteylal Mandal, Son of Late Soti Mandal.
2. Deepak Kumar, Son of Sri Chhoteylal Mandal.
3. Bablu Kumar, Son of Sri Chhoteylal Mandal, All are resident of Mohalla-Sherpur, P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... 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 ARUN KUMAR
ORAL ORDER

4 11-04-2018

Heard learned Counsel for the petitioners and the State.

Petitioner, already in custody since 2.11.2017, seek bail in Kotwali PS Case No. 211 of 2012 registered under Sections 467, 468, 469, 420 and 406 of the IPC.

The allegation in brief is that the accused persons had given power of attorney in favour of the informant to sale the land @ fifty thousand rupees per katha and the informant gave seventeen lakh fifty thousand rupees in a period of six months and the petitioners acknowledged the receiving by putting signature on the back of the agreement, part of the land was also sold but later on the accused persons cancelled deed of power of attorney earlier executed in favour of the informant after receiving entire consideration money.

Learned Counsel for the petitioner submits that no money was given by the informant to the petitioners so it is a forged signature as claimed by the informant that there is any acknowledgement of receipt of money.

Whereas learned Counsel for the State submits that there is acknowledgement of receipt of seventeen lakh and odd rupees by



the accused persons, after receiving consideration money they cancelled power of attorney executed in favour of the informant and further points out that the petitioners were absconding for long period because on 18.7.2013 their anticipatory bail was rejected by a coordinate Bench of this Court even thereafter they neither pursued the matter before any superior court nor surrendered in the court below.

Having considered the aforesaid facts and circumstances, in particular the petitioners were absconding for approximately five years so presently their prayer for bail is rejected with a direction to the trial court to expedite the trial.

The petitioners may renew the prayer for bail after six months.

(Arun Kumar, J)

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