

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14384 of 2018

Arising Out of PS.Case No. -175 Year- 2017 Thana -SHAMBHUGANJ District- BANKA

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1. Bharat Lal Singh, S/o Late Adhik Lal Singh,
 2. Prakash Singh S/o late Adhik Lal Singh,
 3. Ritesh Singh S/o Bharat Lal Singh, All three are R/o Village- Shobhnathpur, P.S.- Shambhuganj, District- Banka.
 4. Sanjay Yadav S/o Indradeo Mahto @ Yadav, R/o Village- Belsira, P.S.- Shambhuganj, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 06-04-2018 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 175 of 2017 registered for the offences punishable under Sections 420, 467, 468, 471, 385, 506, 120-B of the Indian Penal Code.

The accusation against the petitioners is that they got prepared forged agreement for sale in respect of lands of the informant as well as her daughter.

Learned counsel appearing for the petitioners submits



that petitioners have already filed a title suit against the informant and others for specific performance of contract and prior to filing of the aforesaid title suit when the petitioners gave legal notice to informant, the informant lodged the present case against the petitioners to create defence in above stated title suit.

Since it appears to me that title suit, on the basis of agreement for sale in question, is still pending between the parties and genuineness of the agreement for sale in question is subject matter of above stated title suit, I am of the view that petitioners deserve the privilege of anticipatory bail.

Accordingly, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka in Shambhuganj P.S. Case No. 175 of 2017 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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