

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6697 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- VIJAYEPUR District-
Gopalganj

- =====
1. Bridhi Chand Gupta @ Bridhi Chandra Gupta aged about 61 years, male, Son of Late Jainarayan Gupta @ Late Jainaraian Sah @ Late Jagnarain Sah Resident of village - Musahari Bazar, P.S.- Vijayipur, District- Gopalganj
 2. Nagendra Madeshiya @ Nagendra Gupta @ Nagendra Prasad aged about 41 years, male, Son of Bhagwan Sah @ Bhagwan Gupta @ Bhagwan Prasad Resident of village - Musahari Bazar, P.S.- Vijayipur, District- Gopalganj
 3. Ravi Kumar Madeshiya @ Ravi Kumar @ Ravi Gupta aged about 25 years, male, Son of Late Ghanshyam Prasad Resident of village - Musahari Bazar, P.S.- Vijayipur, District- Gopalganj

... .. Petitioners

Versus

1. The State of Bihar
2. Mostt. Prabhawati Devi aged about 65 years, female, Wife of Late Singasan Sah Resident of village - Musahari Bazar, P.S.- Vijayipur, District- Gopalganj.

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Nityanand Mishra, Advocate.
For the O.P. No. 2 : Mr. Anirudh Kumar Verma
Mr. Vyas Kumar Mishra, Advocates.
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420, 467, 468 and 120(B) of the Indian Penal Code registered in connection with Complaint Case No. Case No. 468 of 2018.



3. It is submitted that the petitioners have been falsely implicated and the dispute between the parties is essentially of civil nature and in respect of which Title Suit No. 561 of 2017 is going on in the Court of learned Sub-Judge 1st, Gopalganj. The father of petitioner no. 2 has purchased the land from Jangi Sah after death of the latter's wife in whose name the land has been purchased, whereas the informant is a relative of the second wife of Jangi Sah. The petitioners claim clean antecedents.

4. Learned counsel for the complainant appears and has been heard.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Vijayipur P.S. Case No. 115 of 2018 arising out of Complaint Case No. 468 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.



(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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