

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15018 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- KALYANPUR District- Samastipur

1. Brij Kishore Tiwari @ Braj Kishore Tiwary, Male, aged about 45 years, Son of Late Mahendra Tiwari
2. Ramanand Sah, Male, aged about 43 years, Son of Late Ritlal Sah
Both are resident of Village Singhiyahi, P.S. Kalyanpur, Dist. Samastipur.
3. Ram Prakash Thakur, Male, aged about 42 years, Son of Late Shivji Thakur
Resident of Village- Chatneshwar , Police Station- Warishnagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shiv Narayan Thakur @ Sonam Thakur, Male, aged about 49 years, Son of Late Bindeshwar Thakur Resident of Village- Singhiyahi, Police Station- Kalyanpur, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Choudhary Shyam Nandan
For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Kalyanpur P.S. Case No. 161 of 2018 arising out of Complaint Case No. 619 of 2018 registered for offences under sections 341, 323, 379, 420, 406 and 468 of the Indian Penal Code.

In this case, the allegation has been made against the petitioners of forgery and cheating with respect to execution



of a sale deed.

Learned counsel for the petitioners submits that it is completely a civil dispute and has wrongly been framed as a criminal case.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on 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, Samastipur in connection with Kalyanpur P.S. Case No. 161 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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