

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1943 of 2019

Arising Out of PS. Case No.-54 Year-2016 Thana- BANKA District- Banka

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1. Buttan Singh @ Buhan Singh son of Late Gurucharan
 2. Bijay Singh @ Bijoy Singh son of Late Gurucharan Singh
- Both resident of Village- Kisanpur, Police Station- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-02-2019 At the very outset, submission of learned counsel for the petitioners is that petitioner no.2 has already been surrendered.

As such, this application with respect to petitioner no.2 is dismissed as withdrawn.

So far petitioner no.1 is concerned, this is an application for grant of anticipatory bail in connection with Banka P.S. Case No. 54 of 2016, disclosing offences under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

Allegation as per F.I.R. is that cousin brother of the informant has sold the ancestral land of the informant to the petitioner in excess of his share by playing fraud.

Submission of learned counsel for the petitioners is



that in partition suit the cousin brother of the informant has received a share and sold the same to the petitioners, as such petitioners are purchasers. Further, he has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner no.1, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 54 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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