

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16098 of 2019

Arising Out of PS. Case No.-352 Year-2016 Thana- MAJHAULIA District- West Champaran

1. Lalbabu Prasad S/o Daroga Prasad Chaurasia, Resident of Village-Bekhbara, P.S.-Majhouliya, District-West Champaran.
2. Mohan Prasad S/o Safal Bhagat, Resident of Bakhbara, P.S.-Majhouliya, District-West Champaran.
3. Chandrika Prasad Chaurasia S/o Jamuna Bhagat, Resident of Bakhbara, P.S.-Majhouliya, District-West Champaran.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party/s : Mr.Binod Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Majhauliya P.S. Case No. 352 of 2016 registered for the offences punishable under Sections 402, 467, 468, 471/34, 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are the purchasers of land. The allegation against them is that they had got created a Jamabandi by committing certain acts and omissions on the basis of a fabricated document. It is submitted that the matter was investigated and



Police submitted a final report saying that no sufficient material could be found against the petitioners to proceed against them. However, learned Magistrate differing with the police report decided to proceed against the petitioners. It is also submitted that a partition suit bearing no. 49 of 2016 is pending consideration for the land.

Learned APP has opposed the prayer of anticipatory bail of the petitioners.

Considering the facts and circumstances of the case, the nature of relationship between the parties and the nature of allegations as also that the Police submitted a final form, let the petitioners above named, in case of their arrest or surrender within a period of four weeks from today in connection with Majhauriya P.S. Case No. 352 of 2016, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/-(fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah at West Champaran, subject to the condition as laid down under Section 438 (2) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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