

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15102 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- KESARIA District- East Champaran

1. Anwari Begum, Wife of Sanaullah Resident of Village - Rampur Kodar, PS-Kesariya, Distt - East Champaran.
2. Md. Sakib Son of Sanaullah Resident of Village - Rampur Kodar, PS-Kesariya, Distt - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

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

This application for anticipatory bail, arises out of Kesariya Police Station Case No. 241 of 2018 (G.R. Case No. 4058 of 2018), disclosing offences punishable under Sections 341, 323, 379, 420, 504, 506 and 34 of the Indian Penal Code.

It is alleged in the First Information Report that the co-accused Sanaullah had received a sum of Rs. 3,00,000/- (three lacs) from the informant as consideration money for sale of a piece of land ad-measuring 16 dhur. The said co-accused is neither executing the sale-deed nor returning the consideration amount, it is alleged. It is further alleged that Sanaullah and his



family members had attacked the informant and others. Petitioner no. 1 is the wife of co-accused Sanaullah; whereas the petitioner no. 2 is his son.

Learned counsel for the petitioners has submitted that they have been falsely implicated in the present case, as is evident from the First Information Report for ulterior reasons. He has also submitted that the dispute, if any, between Sanaullah and the informant, is of civil nature.

Be that as it may, in view of the facts and submissions made on behalf of the petitioners, as noted above, a case for grant of anticipatory bail is made out, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the Court below within six weeks, 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 the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kesariya Police Station Case No. 241 of 2018 (G.R. Case No. 4058 of 2018), subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners



shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Ashish/-

U		T	
---	--	---	--

