

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29820 of 2019**

Arising Out of PS. Case No.-740 Year-2014 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. BALISTER SINGH @ BALISTAR SINGH @ BALITAR SINGH Son of Chetman Singh Resident of Village - Jadopur Shukul, P.S.- Jadopur, Distt - Gopalganj.
 2. Osiar Singh @ Osihar Singh Son of Ratan Singh Resident of Village - Jadopur Shukul, P.S.- Jadopur, Distt - Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Brij Kishore Rai Son of Bikrama Rai Resident of Village - Hariharpur, P.S.- Jadopur, Distt - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan
For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-05-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Complaint Case No. 740 of 2014, disclosing offences punishable under Section 420 of the Indian Penal Code.

Allegedly, co-accused persons executed a sale deed in favour of petitioner no. 1, in respect of a piece of land. The petitioner no. 2 is the witness of the said sale deed. The complainant is agnate of the vendor, who is disputing the authority of the vendor to execute the sale deed.

Learned counsel for the petitioners has submitted that



the complainant has filed a title suit, seeking declaration of his title over the land vended in favour of the petitioner no. 1.

In the aforesaid background, learned counsel for the petitioners has submitted that it is purely civil dispute between the parties. The complaint case was filed in the year 2014. Learned counsel for the petitioners explaining delay in filing of the present anticipatory bail application, has submitted that the petitioners had not received summonses from the court below, after taking of cognizance and the vendors, who received summonses, have been allowed anticipatory bail. It has also been submitted that very recently the court below has issued warrant of arrest against these petitioners.

Considering the facts and circumstances of the case, 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 A.C.J.M.-IX, Gopalganj, in connection with Complaint Case No. 740 of 2014, 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.)

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