

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30598 of 2019

Arising Out of PS. Case No.-349 Year-2018 Thana- BIBHUTIPUR District- Samastipur

1. DHIRENDRA PRASAD SINGH @ SANJAY Son of Late Akal Singh Resident of Village - Kerai, P.S.- Bibhutipur, Dist.- Samastipur.
2. Upendra Singh @ Sudhir Kumar Son of Late Babu Chand Singh Resident of Village - Kerai, P.S.- Bibhutipur, Dist.- Samastipur.
3. Sudhir Singh @ Sudhir Kumar Son of Sukhdev Singh Resident of Village - Kerai, P.S.- Bibhutipur, Dist.- Samastipur.
4. Ram Kumar Singh Son of Late Ram Udgar Singh Resident of Village - Kerai, P.S.- Bibhutipur, Dist.- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pramod Kumar Son of Late Gena Lal Singh Resident of Village - Kerai, ward No.5, P.S.- Bibhutipur, Dist.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-05-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bibhutipur P.S. Case No. 349 of 2018, disclosing offences under Sections 385, 387, 420, 468 and 471 of the Indian Penal Code.

The gist of the allegation is that the accused persons conspired to get a sale deed executed in favour of co-accused Sukhdeo Singh by Laxmi Devi, an impostor, though one Lalita Devi was produced in place of the said Laxmi Devi in the office of the Sub-Registrar for execution of the sale deed.

From the FIR, it is evident that apart from the vague allegation of conspiracy against these petitioners, there is nothing against them.



The statement made in paragraph 3 of the bail petition regarding the criminal antecedent of petitioner nos 3 and 4 has been taken note of, which, in my view, is not material for refusal of the petitioners' prayer for grant of anticipatory bail.

Considering the nature of accusation, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate,1, Samastipur in connection with Bibhutipur P.S. Case No. 349 of 2018, subject to the condition as 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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