

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37582 of 2019

Arising Out of P.S. Case No.-1176 Year-2014 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. DEVKI NANDAN SHUKLA, aged about 72 years, Male, Son of Late Murlidhar Shukla Resident of Village - Khalifabagh, D.N.Singh Rd., P.S.- Kotwali, Dist.- Bhagalpur.
 2. Pitambar Shukla, aged about 58 years, Male, Son of late Murlidhar Shukla Resident of Village - Khalifabagh, D.N.Singh Rd., P.S.- Kotwali, Dist.- Bhagalpur.
 3. Arbind Kumar Shukla, aged about 57 years, Male, Son of Late Murlidhar Shukla Resident of Village - Khalifabagh, D.N.Singh Rd., P.S.- Kotwali, Dist.- Bhagalpur.

... .. Petitioners

Versus

1. The State of Bihar
2. Md. Ashrafi Ali Son of Noor Mohammad @ Rasul Resident of Village- Makhna, Police Station- Jagdishpur, District- Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Dr. Manoj Kumar, Advocate
For the Opposite Parties : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2019 Heard learned counsel for the petitioners, learned counsel for the Complainant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 324, 327, 379, 307, 420B and 341 of the Indian Penal Code.

On perusal of the FIR, it appears that it is a case of civil dispute. Complainant has already filed a civil suit and petitioners have already appeared in the civil suit.

It is submitted on behalf of the petitioners that the petitioners have falsely been implicated in this case. It is further submitted that the petitioners had not executed any agreement



for sale in favour of the complainant. Petitioners have got no criminal antecedent. It is further submitted that similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No.36227 of 2019 vide order dated 12.06.2019.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 learned Additional Chief Judicial Magistrate-VII, Bhagalpur/successor Court in connection with Complaint Case No.1176 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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