

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72096 of 2018

Arising Out of PS. Case No.-242 Year-2017 Thana- RAMKRISHNANAGAR District- Patna

1. Rajeev Kumar @ Rajeev Prasad Son of Rajo Prasad Yadav, resident of Village- MIG Bahadurpur Housing Colony, P.S. Agam Kuan, District- Patna.
2. Uma Shankarpur Prasad Son of Late Prameshwer Singh, resident of Mohalla East Indira Nagar Road No. 4A, P.S. Kankarbag, District- Patna.
3. Ravindra Prasad Son of Ram Bilash Singh, resident of Mohalla Nand Lal Chhapra Zakariyapur, P.S. Ram Krishna Nagar, District- Patna.

... .. Petitioners

Versus

1. The State Of Bihar
2. Dr. Gajendra Pd Sina, S/o Late Jaga Nath Sinha, Basant Jag Jeewan, P.S. Puranhiya, District Sheohar, Corresponding Address- A 902, K.D.P Grand Sawaha Raj Nagar Extension Gaziabad, U.P. PIN Code 201017

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Vikramdeo Singh, Mr. Gagan Deo Yadav, Advocates
For the Opposite Party	:	APP
For OPP. Party No. 2	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 323, 341, 420, 467, 468, 504, 506, 120(B) and 34 of the Indian Penal Code registered in connection with Ram Krishna Nagar P.S. Case No. 242 of 2017.

3. It is submitted that the petitioners have been falsely implicated as they themselves being purchasers of the property in question have been cheated. Moreover, the dispute in question is purely of civil nature as the first information report has been instituted at the instance of the informant, who also claims to have purchased the land from another seller Sita Ram Singh.

4. Learned APP assisted by learned counsel for the opposite party no. 2 has been heard.



5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Patna in connection with Ram Krishna Nagar P.S. Case No. 242 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be a close relative of the petitioner.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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