

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.41663 of 2019

Arising Out of PS. Case No.-691 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. ALKA VERMA Wife of Sri Lallan Prasad Resident of Mohalla - Sri Krishna Nagar, Motihari, P.S.- Motihari Town, District- East Champaran
 2. Lallan Prasad Son of Late Rajballabh Prasad Resident of Mohalla - Sri Krishna Nagar, Motihari, P.S.- Motihari Town, District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mst. Prem Kuer Wife of Late Rajballabh Prasad Resident of Mohalla - Sri Krishna Nagar, Motihari, P.S.- Motihari Town, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 16-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. C-691 of 2017, disclosing the offence under Sections 420 and 504 of the Indian Penal Code.

This anticipatory bail arises out of a complaint case filed by the mother of petitioner no. 2. Petitioner no. 1 is the wife of petitioner no. 2. The complainant alleges that petitioner no. 2 fraudulently obtained the complainant's signature on certain documents in the pretext of clearing pending electricity bills and used the same for creating a sale-deed in respect of land, in favour of



petitioner no. 1.

Learned counsel appearing on behalf of the petitioners has submitted that the dispute is purely of civil nature. He has also submitted that the petitioners were allowed provisional bail by an order dated 08.07.2019 after issuance of notice to the complainant. There is no material to suggest misuse of privilege of provisional bail so granted. It has also been argued that the petitioners shall present themselves before the court below as and when required and they shall not indulged in tampering with the evidence.

Despite service of notice, the complainant has not appeared.

Considering the facts and circumstances, this application is allowed. Provisional bail granted to the petitioner under order dated 08.07.2019 is hereby confirmed in connection with Complaint Case No. C-691 of 2017, pending in the court of learned Judicial Magistrate, East Champaran at Motihari.

(Chakradhari Sharan Singh, J)

Rajesh/-

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