

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51967 of 2019**

Arising Out of PS. Case No.-73 Year-2018 Thana- CHANDAUTI District-
Gaya

- =====
1. AKBAR ANSARI, male, aged about 60 years, S/O Late Hafizur Rahman Resident of Main Road Aliganj Infront of Road No.- 7, P.S.- Chandauti, District- Gaya.
 2. Ruksana Begum @ Rukhsana Begum, female, aged about 56 years, W/O Akbar Ansari Resident of Main Road Aliganj infront of Road No.-7, P.S.- Chandauti, District- Gaya.
 3. Md. Jubair, male, aged about 42 years, S/O Md Abdullah Resident of New Aliganj, Road No.-5, P.S.- Chandauti, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Dharmendra Kumar Sinha, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 471, 468, 427, 323, 420, 467, 506, 504 of the Indian Penal Code registered in connection with Chandauti P.S. Case No. 73 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of a family dispute relating to partition of property. The petitioners are brother, sister-in-law and neighbour respectively of the informant. Partition Suit No. 770 of 2017 is already pending in the Court of learned Principal Sub-Judge, Gaya in respect of properties and the dispute is purely of civil nature. Petitioners are accused in one prior case which has been filed by the brother of the informant in which



they are on bail.

4. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 73 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

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

(iii) 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.

(iv) That the petitioner no. 2 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present and petitioner nos. 1 and 3 shall remain physically present in Court on each and every date, 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.

(Vikash Jain, J)

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