

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55358 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- RAJAOLI District- Nawada

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1. Kalyani Kumari age 47 years, Female, Wife of Pramod Kumar Singh
 2. Bibha Devi age 35 years, female, Wife of Nripendra Kumar
Resident of Village-Bagodar, P.S.-Hisua, District-Nawada.
 3. Bishundari Chauhan age 58 years, Male Son of Late Ramcharan Chauhan
Resident of Village-Badail, P.S.-Akbarpur, District-Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Rina Sinha, Advocate
For the Opposite Party : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420, 467, 468, and 471/34 of the Indian Penal Code registered in connection with Rajauli P.S. Case No.25 of 2019.

3. It is submitted that the petitioners have been falsely implicated in connection with a piece of land purchased by petitioner nos. 1 and 2 while petitioner no. 3 is a witness to the respective sale deeds. It is submitted that the land has been purchased by them on the introduction of Jyotish Kumar Sinha as the son of Arjun Prasad and he introduced Renu Devi as wife of Arun Prasad, in whose names the said land stood and both of them died in the years 2001 and 2018 respectively. It is submitted that fraud, if any, has been played by Jyotish Kumar Sinha himself, and not by petitioner nos. 1 and 2, who have already paid consideration of Rs. 44,06,00/- to Jyotish Kumar Sinha whose involvement is apparent as he is an eye-witness to the sale deeds. There is considerable delay in lodging the



FIR on 22.01.2019 for the alleged occurrence of 04.12.2018. The petitioners claim clean antecedents.

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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 25 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

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

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

(iii) That the petitioner nos. 1 and 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 no. 3 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.

(Vikash Jain, J)

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