

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4265 of 2018

Arising Out of PS. Case No.-473 Year-2018 Thana- ARA NAWADA District- Bhojpur

1. Raju Tiwary, Son of Late Ram Nath Tiwary,
2. Jaleshwar Tiwari, Son of Late Gokhula Nand Tiwary,
3. Vikash Tiwary, Son of Late Ram Nath Tiwary,
4. Vishal Tiwary, Son of Late Ram Nath Tiwary, All resident of Village- Chandwa, Police Station- Ara Nawada, District- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Arun Kumar Singh
For the Respondent/s	:	Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2019 Heard the parties.

The appellants are apprehending their arrest in connection with Ara Nawada P.S.Case nO.473 of 2018 , registered for offences punishable under Sections 341, 323, 406, 420, 409, 504, 506 of the Indian Penal Code and Section 3(i)(x) of S.C./S.T. Prevention of Atrocities Act.

Allegation as per the complaint petition is that the informant was cheated by Ram Nath Tiwary as the informant later on came to know that the land does not belong to Ram Nath Tiwary and the appellant no.1 is the witness of the sale-deed , appellant no.2 is the identifier and appellee nos. 3 and 4 are the accused persons named in the complaint petition.



Submission of the learned counsel for the appellant is that the allegation is against Ram Nath Tiwari, who has already died and the appellant no.1 is the witness of the sale deed, appellant no.2 is the identifier and the appellant nos. 3 and 4 have no concern with the execution of the sale-deed.

Heard learned Spl.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Bhojpur, Ara in connection with Ara Nawada P.S.Case nO.473 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

Accordingly, this appeal is allowed and the impugned order dated 22.9.2018 is set aside.

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(Vinod Kumar Sinha, J)

