

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29280 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- SHAHKUND District- Bhagalpur

1. PANKAJ MANDAL @ PANKAJ KUMAR MANDAL S/o Bocho Mandal @ Kamla Mandal Resident of Village-Milki, P.S.-Sahkund, and District-Bhagalpur.
2. Madan Mandal S/o Bocho Mandal @ Kamla Mandal Resident of Village-Milki, P.S.-Sahkund, and District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Shahkund P.S. Case No. 28 of 2020, registered for the offences punishable under Sections 406, 419, 420 and 34 of the Indian Penal Code.

As per prosecution case, these petitioners along with co-accused persons cheated the informant by executing a Zarbayana and took one lakh rupees. Later on, informant came to know that the land for which Zarbayana was executed did not belong to co-accused Ghutar Mandal.



It is submitted that petitioners have been falsely implicated in this case. Petitioner no. 1 is Nyay Sachiv of Gram Kuchehry Pairdominia Panchayat and petitioner no. 2 is own brother of petitioner no. 1. The only allegation against petitioner no. 2 is that he is one of witnesses. Petitioners have not received even a single farthing. There is no chit of paper which shows that informant paid Rs. 1,00,000/- to the petitioners. The dispute is of civil nature. Petitioners have got clean antecedent as stated in para 3 of the petition.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case No. 28 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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