

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31128 of 2020

Arising Out of PS. Case No.-1538 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. GONAU SAH @ GONA SAH, Son of Badri Sah, Resident of Village - Dumari, P.S. - Sadar, District - Muzaffarpur.
 2. Kamal Kumar, Son of Kaleshwar Paswan, Resident of Village - Pakri, P.S. - Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ratan Devi, Wife of Sri Shambhu Dubey, Resident of Village - Damodarpur Shahjaha @ Dumari, P.S. - Sadar, District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-01-2021 Heard learned counsel for the petitioners and State.

The petitioners are apprehending arrest in connection with Muzaffarpur Complaint Case No. 1538 of 2018 for the offence under Sections 467, 468 and 471 of the Indian Penal Code.

It is alleged that the petitioners were the witnesses of the sale deed purportedly executed by a minor, showing to be a major.

Learned counsel for the petitioners submits that in connection with the sale deed, there is already a title suit pending.

Considering the fact that the petitioners are only the witnesses on the sale deed, the petitioners named above, in the



event of arrest or surrender before the court below within one month from the date of receipt of a copy of this order, are directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Ms. Divya Shekhar, Judicial Magistrate, 1st Class, Muzaffarpur in connection with Muzaffarpur Complaint Case No. 1538 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that the petitioners will deposit Rs.25,000/- (Twenty five thousand) each cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioners are acquitted the amount of Rs.25,000/- shall be refunded in favour of the petitioners, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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