

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4242 of 2021

Arising Out of PS. Case No.-3083 Year-2013 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

-
1. Satya Nr. Mahto @ Satya Narain Mahto Son Of Late Daroga Mahto Resident Of Village Bhadai Tola Hardopatti,P.S-Hathauri, District-Muzaffarpur
 2. Kaushalya Devi Wife Of Sahdeo Mahto Resident Of Village Bhadai Tola Hardopatti,P.S-Hathauri, District-Muzaffarpur
 3. Shail Devi Wife Of Satya Nr. Mahto @ Satya Narain Mahto Resident Of Village Bhatauyia,P.S-Karja,District-Muzaffarpur
 4. Sanjay Kumar Mahto Son Of Satya Nr. Mahto @ Satya Narain Mahto Resident Of Village Bhatauyia,P.S-Karja, District-Muzaffarpur
 5. Leela Devi Wife Of Late Pankaj Mahto Resident Of Village Arara,P.S-Sadar Hazipur,District-Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ram Sevak Mahto Son Of Late Mungilal Mahto Resident Of Village Bhadai Tola Hardopatti, P.S-Hathauri, District-Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Neeraj Kumar alias Sanidh, Advocate
For the Opposite Party : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 15-12-2021 A supplementary affidavit has been filed on behalf of
the petitioners which is taken on record.

Heard learned counsel for the petitioners and learned
APP for the State including learned counsel for the opposite
party no.2.

The petitioners apprehend their arrest in connection
with Complaint Case No.3083 of 2013 for offences under



Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

In view of the fact that Title Suit No. 852 of 2014 filed by the complainant-plaintiff is pending in the Court of learned Sub Judge-16 Bhagalpur, and it is still at the stage of examination of the witnesses of the complainant-plaintiff, any decision in respect of the criminal case of the petitioners can only be taken after decision of the title suit.

Considering the aforesaid fact, the application for anticipatory bail is disposed of.

Accordingly, let petitioners, above-named, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East, Muzaffarpur in connection with Complaint Case No.3083 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This anticipatory bail is subject to the decision of the aforesaid Title Suit. If the decision of the Title Suit goes in favour of the petitioners, there will be no need of modification in the order of anticipatory bail. However, if the complainant



succeeds in the Title Suit, he will file an application for cancellation of anticipatory bail granted to the petitioners and the court below shall take its decision on its own merit thereafter.

(Sandeep Kumar, J)

BT/-

U			
---	--	--	--

