

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6027 of 2021

Arising Out of PS. Case No.-380 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. HEMANTI DEVI, aged about 47 years (Female), wife of Chandra Deo Bhagat.
 2. Chandra Deo Bhagat, aged about 52 years, Male, son of Biru Bhagat.
 3. Ramcharitar Pal, aged about 62 years (Male), son of Chanarik Pal.
All resident of Village - Kramdih, P.S.- Amas, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. Kasturi Devi, wife of Bishun Deo Bhagat, resident of Village- Karamdih, P.S.- Amas, District- Gaya, At present Village- Long Parsawan, P.S.- Magadh Medical, District- Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Nand Kishore Prasad Sinha, Advocate
For the Opposite Party : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 06-12-2021 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Complaint Case No. 380 of 2018 for the offence punishable under Section 420 of the Indian Penal Code.

At the very outset, learned counsel for the petitioners submits that this bail application has been rendered



infructuous as against petitioner no.3, above named, who has died.

Accordingly, this bail application is dismissed as having become infructuous as against petitioner no.3, above named.

Considering the fact that the F.I.R. discloses a land dispute between the parties and also considering the supplementary affidavit filed by the petitioner, this application is allowed.

Let the petitioners no.1 and 2, above named, in the event of their arrest/surrender within four weeks from today in the Court below, be released 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 Judicial Magistrate, 1st Class, Sherghaty, in connection with Complaint Case No. 380 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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