

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35122 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- AMARPUR District- Banka

1. KIRAN DEVI W/o Ravi Shankar Yadav
2. Nitu Rani W/o Sanjay Kumar
3. Ravi Shankar Yadav S/o Ram Swaroop Yadav
4. Sanjay Kumar S/o Ram Swaroop Yadav
All R/o village- Banhara, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 467,468,120B/34 of IPC.

The prosecution case, in short, is that the present case was registered on the basis of complaint petition filed by one Premlata Kanodia, alleging therein that the accused petitioners prepared forged Zerbeyanama with a view to grab the complainant's land.

Learned counsel for the petitioners submits that petitioners have clean antecedent. They have falsely been



implicated in the present case. Further submits that in fact the petitioners paid Rs. 9,50,000/-to the husband of the informant to execute a sale deed in favour of the petitioners but the husband of the informant executed the land in question in favour of the informant and thereafter the informant executed the sale deed in favour of other persons and falsely filed the present complaint petition against the petitioners only to harass the petitioners and their family members. Learned counsel for the petitioners further submits that the petitioner Nos.1 and 2 has filed Title Suit No. 264 of 2021 against the husband of the informant in the land in question.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners but fairly submits that the informant has cheated the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned court below where the case is pending in connection with Amarpur P.S. Case No. 101 of 2022, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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