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- Petitioners

1. The State of Bihar.
2. Baidhyanath Sharma, S/o Late Surajmal Sharma @ Surajmal Maharaj, R/o Puraini Bazaar, Marwari Tola, P.S. Puraini, District- Madhepura. present address- Muhalla JAil Chauk, Jila School Road, Purnia, Bihar.

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For the Petitioners : Mr. Avanish Kumar Singh
For the Opposite Parties : Mr. Anil Kr.Singh 1(App)

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Heard learned counsels for the petitioners,
the State.

It is alleged that petitioner No. 1 impersonated the complainant and executed a sale deed with

regard to the land of the complainant claiming himself to be the son of Puranmal Maharaj, the original land holder.

It is submitted by learned counsel for the petitioners that initially the complaint was filed which was referred to the police station under Section 156(3) of the Cr.P.C but during investigation the accusation was not found true and ultimately final form was submitted and subsequently protest-cum-complaint was filed leading to issuance of process. The petitioner No. 1 claims himself to be the heirs of original land holder and executed the sale deed in favour of petitioner No. 2. Petitioner No. 3 is identifier, petitioner No. 4 is a witness to the sale deed, petitioner No. 5 is alleged to have drafted the sale deed and petitioner Nos. 6 and 7 got the sale deed executed. Moreover the sale deed was executed on 23.03.2010 whereas the initial complaint was filed on 30.03.2010.

It is submitted by learned counsel for the petitioners that petitioner No. 1 was the servant of the original land holder Puranmal Maharaj and he fraudulently impersonated the complainant and executed the sale deed.

Considering the accusation in the background of claim and counter claim with regard to the land in question, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Madhepura in connection with Complaint Case No. 236 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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