

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18291 of 2015

Arising Out of PS.Case No. -252 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Laxmi Devi, wife of Nanheshwwar Singh, resident of village-Tetrahi, Tola-Bahadur Bigha, Police Station-Haspura, District-Aurangabad.
 2. Ram Vinay Yadav alias Vinay Yadav, son of Late Ramdeo Yadav, resident of village-Tilakdhari Bigha, Police Station-Karpi, District-Arwal.
 3. Doman Yadav, son of Late Jagmohan Singh, resident of village-Chainpur, Police Station-Karpi, District-Arwal.
 4. Birju Singh alias Birju Yadav, son of Late Baleshwar Singh, resident of village-Tankupi, Police Station-Haspura, District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jagdeo Singh, son of Late Shyamlal Singh, resident of village-Tetrahi, Tola-Bahadurbigha, Post Office-Chaurahi, Police Station-Hasanpura, District-Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioners and the learned

A.P.P. for the State.

The petitioners apprehend their arrest in connection with

Complaint Case No.252 of 2014 registered under Sections 420,

467, 468 and 471/34 of the Indian Penal Code.

The allegation of the complainant is that the petitioner

no.1 being his daughter-in-law accompanied him to the

S.D.O./Sub Registry Office, Daudnagar on the pretext of

providing/availing the benefit of old age pension but under the conspiracy, the petitioner no.1 and the other petitioners got the sale deed executed by him in respect of 1 acre and 5½ decimals land through Sale Deed No.345 on 29.01.2013 on the consideration money of Rs.4,00,000/- in her favour mentioning that Rs.3,00,000/- has been paid and Rs.1,00,000/- shall be paid at the time of exchange of chit but not a single penny has been paid to the complainant by the petitioner no.1. Further case is that the complainant has three sons, namely, Jitu Singh, Binda Singh and Nanheshwar Singh (the husband of the petitioner no.1).

Learned counsel appearing on behalf of the petitioners submits that, in fact, Jitu Singh and Binda Singh, both sons of the complainant, with the consent of the complainant, mortgaged the said land with the Bank on taking loan from the Bank and when the loan amount increased, the Bank issued notice to them for the recovery of loan amount and when the complainant know about the said fact, he decided to transfer the said land in favour of the petitioner no.1 in which the other petitioners are either witnesses or identifier. It is further submitted that on coming to know the said fact regarding to transfer the said land in favour of the petitioner no.1 by the complainant, Jitu Singh and Binda Singh, have filed Title Suit No.241 of 2014 against the complainant and

the petitioner no.1, which is pending in the court of Sub Judge,
Aurangabad, for disposal

Having considered the facts and the circumstances of the
case, let the petitioners, above named, in the event of their arrest
or surrender by them within six weeks, be enlarged on bail on their
furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each
with two sureties of the like amount each to the satisfaction of the
Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, in
connection with Complaint Case No.252 of 2014, subject to the
conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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