

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32875 of 2014

Arising Out of PS.Case No. -365 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

- =====
1. Shambhu Nath Thakur, Son of Jay Lal Thakur, R/o Village – Mahmadpur, P.S. Kanti, District – Muzaffarpur,
 2. Vivek Kumar Singh, Son of Krishna Singh, R/o Village – Fatehabad, P.S. Paroo, District Muzaffarpur,
 3. Jagan Kumar Singh, Son of Late Satyanarayan Singh, R/o Village – Rampur Mahesh, P.S. - Kathaiya, District – Muzaffarpur,
 4. Krishna Singh, Son of Ramsurat Singh, R/o Village + P.O. – Fatehabad, P.S. - Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 05-02-2015 Heard both sides.

The petitioners, four in number, apprehend their arrest in Complaint Case No. 365/2013 registered under Sections 406, 420, 467, 468, 120(B)/34 of the Indian Penal Code.

The complainant alleged that he purchased a piece of land of R.S. Khata No. 815, R.S.P. No. 2911 from Shivjee Singh. The complainant received a notice of proceedings under Section 144 Cr.P.C. and, on enquiry, it transpired that Shivjee Singh executed another sale deed in favour of Krishna Singh, petitioner no. 4, on consideration of Rs. 80,000/-.

Learned counsel for the petitioners submits that

petitioner no. 1 is the witness of the said sale deed; petitioner no. 2 is the son of Krishna Singh (petitioner no. 4); petitioner no. 3 Jagan Kumar Singh has not played any role and petitioner no. 4 is the vendor of the land. Petitioner no. 4 Krishna Singh is in fact cheated by Shivjee Singh, who had executed the sale deed in favour of him, after receiving the consideration amount.

Considering the facts aforesaid and the fact that the dispute is of civil nature, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate (West), Muzaffarpur in Complaint Case No. 365/2013, corresponding to Tr. No. 2520/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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