

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30828 of 2015**

Arising Out of PS.Case No. -116 Year- 2014 Thana -MASRAKH District- SARAN

1. Kamla Rai  
2. Yogendra Rai, Both sons of Late Harihar Rai, Both resident of village - Bangra, P.S. Mashrakh, District - Saran

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh  
For the Opposite Party/s : Mr. Md.A.Haque Sahara(App)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      13-08-2015      Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Mashrakh P.S.Case No.116 of 2014 registered under Sections 420, 467, 468, and 371 of the Indian Penal Code.

The submission advanced on behalf of the petitioners is that they are descendents of one Saryug Rai whose name is recorded in R.S. Khatiyani and is said to have been in possession of the land in question since more than 100 years.

However, learned counsel appearing for the District Board submits that the said land is belonging to District Board.

It appears that there is bonafide dispute between the parties and the land in question has been acquired by virtue of their inheritance and they are vendors of the land having received the consideration amount.

Considering the afore-mentioned submissions and the facts that there is bonafide dispute between the District Board and the petitioners and also the fact that the petitioners are in

possession of the said land, let the petitioners, namely, Kamla Rai and Yogendra Rai, in the event of their arrest/surrender in the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with Mashrakh P.S.Case No.116 of 2014, subject to condition laid down under Section 438(2) of the Cr.P.C.

**(Anjana Mishra, J)**

ahk/-

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