

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28580 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

- =====
1. Mithileshwar Jha son of Late Parmeshwar Jha
 2. Chandra Mouleshwar Jha son of Mithileshwar Jha Both are residents of Village - Sikandarpur, Baddo Lal Lane, P.S. Muzaffarpur, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Arun Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015

The petitioners are apprehending their arrest in Jagdishpur P.S.Case No.65 of 2015 for the offences instituted under Sections 406, 420, 120(B), 504 and 506/34 of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution case, in short, is that the petitioner no.1 being the rightful owner of the land in question has sold the land to the informant's wife on the basis of which the name has been mutated in respect of the purchased land in the Anchal Serista of Bihar Sarkar. It is further alleged that all the accused persons named in the F.I.R. including the petitioners in criminal conspiracy with each other in furtherance of common intention

deceitfully and fraudulently cheated the informant and grabbed Rs.6/- lacs of the informant.

It is submitted on behalf of the petitioners that the petitioners admit the sale deed executed in favour of the informant and petitioners have got no concern with the land in question. It is further submitted that the present case has been instituted due to mistake of fact. The petitioners have got no criminal antecedent.

On behalf of the State the petitioners have been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the C.J.M., Bhagalpur, in Jagdishpur P.S. Case No.65/2015 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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