

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37576 of 2014

Arising Out of PS.Case No. -98 Year- 2014 Thana -SAHARSA District- SAHARSA

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1. Hemant Devi @ Hemant Devi wife of Rajeev Kumar Singh
 2. Shiva ji singh son of Jageshwar Prasad Singh
 3. Maonj Kumar Singh son of Bhamar Singh
 4. Shashi Kumar Singh son of Gopal Prasad Singh All resident of Islamiya Chouk, Gangjala , Ward No. 15, Police Station Saharsa , District Saharsa
 5. devendra Kumar Singh @ Lalan son of Late Chandra Kumar Singh resident of Village Lagma Dyodhi , Police Station Sonbarsa Raj, Dsitric Saharsa
 6. Shailendra Kumar Singh @ Shalendra Kumar Singh son of Late Umanath Singh resident of Hanuman Chouk, Police Station Saharsa, District Saharsa
 7. Bhubneshwar Mandal son of Bhola Prasad Mandal resident of village Laxmipur, Police Station Manihari District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-03-2015 Heard both sides.

The petitioners apprehend their arrest in Saharsa Sadar P.S.
Case No. 98/2014 registered for the offences punishable under Sections
406, 420 and other Sections of the Indian Penal Code.

The gist of the allegation is that the complainant is the
mother-in-law of the Hemant Devi. The complainant alleged that she
purchased the land in her name, but her daughter-in-law forged the
signature prepared a panchnama and got her name mutated with regard
to the land.

The complainant sold the land and when the purchaser
went to get the name mutated the complainant new about the facts. It is

submitted that the dispute is of civil nature. The complainant did not sell the land. A panchnama was prepared. The signature is alleged to have been forged, but the same is yet to be verified or examined.

On the other hand, the Learned Counsel for the complainant vehemently oppose the prayer for anticipatory bail of the petitioners and submitted that none is than the daughter-in-law of the complainant herself made all attempt to drive her out from the dwelling house.

It appears from the records itself that the complainant has already sold the land in favour of somebody else. She is not residing in the house. She came to know about the forgery when purchaser went to get his name mutated. Dispute appears to be of civil nature.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 98/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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