

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38899 of 2015

Arising Out of PS.Case No. -400 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

- 1. Dewanti Devi, wife of Sri ram Pandit,
Resident of village- Purkhas,P.S.-Gopalpur,District-Gopalganj.
- 2. Amarjeet Pandey, son of Late Gorakh Pandey,
Resident of village- Gorayakhal, P.S. - Gopalpur, District-Gopalganj.

.... Petitioner/s

Versus

- 1. State of Bihar
- 2. Ramdeo Pandit, son of Late Shivdhari Pandit,
Resident of village-Purkhas, P.S.- Gopalpur, District- Gopalganj.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Zainul Abedin (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-09-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Gopalganj
Town P. S. Case No. 400 of 2014 registered for offences
punishable under Sections 420, 467, 468, 471 of the Indian Penal
Code.

The prosecution case on the basis of a complaint case
No. 819/2014, which was sent to Gopalganj Police Station under
the provisions of Section 156 (3) of the Code of Criminal
procedure for institution and investigation of the same and
accordingly Gopalganj Town P. S. Case No. 400 of 2014 was



instituted. According to the case of the prosecution, in brief, the informant purchased 10 dhurs of land from Babuna Pandey on 24.06.1997 and 2 kathas of land from Surendra Pandey on 02.07.1996 in khata No. 350, 301, Plot No.1345, 1381 the Khatiyani land of Sundar Pandey, now vested in the legal heir of Sunder Pandey. The allegation against the accused persons is that they in collusion with co-accused persons brought into existence a forged and fabricated sale deed to grab the land of informant wherein petitioner No. 1 is vendee and petitioner No. 2 is vendor the said landed property of informant.

It has been submitted by the learned counsel for the petitioners that the petitioners have clean antecedent and they have been falsely implicated due to land dispute.

It has also been submitted that the petitioner No. 1 being the vendee and the petitioner No. 2 being the vendor, legality of the sale deed being a land dispute has civil consequences.

It has further been submitted that the petitioner No. 2 has also filed a complaint case No. 1232 of 2014 against the informant and because of dispute between the parties proceeding under Section 144 of the Code of Criminal Procedure is pending before the Sub -Divisional Magistrate, Gopalganj.

Be that as it may, in case of arrest or surrender within a period of four weeks from today before the Court below, the above named petitioners will be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S.Case No. 400 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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