

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1582 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Ramesh Prasad @ Ramesh Prasad Yadav, Son of Rampal Rai,
 2. Pankaj Kumar, Son of Shankar Prasad, Both Residents of Village – Raghapur, P.S.- Chiraiya, District – East Champaran.
 3. Ram Sogarath Rai, Son of Late Rai Narain Rai, Resident of Village – Preuwa, P.S. – Chiraiya, District – East Champaran.
 4. Meena Devi, Wife of Kishori Prasad Yadav
 5. Subhash Yadav, Son of Kishori Prasad Yadav, Both Residents of Village - Preuwa, P.S. – Chiraiya, Shikarganj, District – East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Prasad Rai, Son of Late Dular Rai, Resident of Village - Preuwa, P.S. – Chiraiya, Shikarganj, District – East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate.

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 14-01-2015 Heard both sides.

The petitioners apprehend their arrest in Chiraiya P.S.

Case No. 28 of 2014, registered for the offences punishable under
Section 420 and other Sections of the Indian Penal Code.

The informant alleged that the petitioners received
Rs. 2,32,000/- for execution of sale deed with regard to 2 Katha
and 17 Dhurs of land. The petitioners did not present the sale deed
for registration before the Registrar and ultimately on 03.07.2013,
the petitioners executed the sale deed in favour of Meena Devi, the

petitioner no. 4.

Learned counsel for the petitioners submits that there is a land dispute between the parties. The petitioner no. 1 Ramesh Prasad @ Ramesh Prasad Yadav also filed Complaint Case No. 769 of 2013 and the dispute is of civil nature.

Having considered the facts aforesaid and the fact that the dispute arose due to non-execution of the sale deed and for that proper remedy is in Civil Court, 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, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri B.K. Jha, the learned Judicial Magistrate 1st Class, Sikrahana at Motihari, East Champaran in connection with Chiraiya P.S. Case No. 28 of 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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