

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22527 of 2015

Arising Out of PS.Case No. -299 Year- 2013 Thana -CHAKIA District- EAST CHAMPARAN
(MOTIHARI)

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1. Hira Lal Sahani S/o Late Raj Kumar Sahani
2. Moti Sahani S/o Late Raj Kumar Sahani
3. Jawahar Sahani @ Jawahir Sahani S/o Late Raj Kumar Sahani
All are Resident of Village Bakhari Nazir, P.S. Mehsi, District East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Birendra Prasad Singh, S/o Kamta Prasad Singh, R/o Village Bakhari
Nazir, P.S. Mehsi, Dist. East Champaran.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Mr. Prem Kr. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-10-2015 Heard both sides.

The petitioners, three in number, apprehend their
arrest in a case under Sections 420, 467, 468, 120(B) of the Indian
Penal Code.

The informant alleged that he is the owner of the
land. It is alleged that accused nos. 1 to 5 are the vendor who
executed the sale deed in favour of accused no. 6. It is submitted
that the land is standing in the name of the mother of the
petitioners. The petitioners did not cheat anybody. The dispute is
civil in nature.

Learned counsel for the informant, however,
vehemently opposed the prayer for bail and submitted that the

vendor had applied for mutation but the land was not mutated in the name of the mother of the vendor.

On the face of it, it appears that there is a bona fide civil dispute.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned 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 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, East Champaran at Motihari in Chakiya P.S. Case No. 299/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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