

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11372 of 2015

Arising Out of PS.Case No. -487 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Pramod Sah Son of Late Bishuni Sah
2. Krishna Prasad Son of Late Lal babu Prasad
3. Sk. Sujayat Son of Late Yakub
4. Jalmuddin@Jalamuddin Mian@ Jalumuddin Mian Son of Alam Mian
5. Md. Harun Son of Alam Mian
All are residents of Village- Laukhan Tola Laxmipur, P.S.- Ghora Sahan,
District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Baldeo Hazra Son of Late Dhanhi Hazra Resident of village- Laukhan
Tola, Laxmipur, P.S. - Ghora Sahan, District- East Champran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-03-2015 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 120B, 323, 504 of the Indian Penal Code.

It is alleged that the complainant's land had been transferred by the petitioner nos. 1 and 2 in favour of petitioner nos. 3.

It is submitted by the learned counsel for the petitioners that the petitioner nos. 1 and 2 claimed the land on

the basis of compromise degree passed in Partition Suit No. 207 of 1992. Statement to that effect has been made in para-9 of the petition which reads as follows:-

“That, there had been a partition suit between accused Pramod Sah and his family members and Jagarnath Sah and Others, vide P.S. No. 207/92 in which the case was compromised in between the parties and the land in question came in the schedule of Pramod Sah and Krishna Prasad.”

The sale deed was executed on 16.10.2012 and the Jamabandi has been created in the name of petitioner no. 3 whereas the complaint was filed in 2013.

Considering the accusation in the background of dispute of title with regard to land in question, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sikrahana at Motihari, East Champaran in connection with Complaint Case No. 487 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--