

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35291 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -KARJA District- MUZAFFARPUR

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1. Ranjan Kumar Sharma, Son of Nawal Kishore Sharma @ Nawal Kishore Singh, Resident of Village Sabalpur (Babhan Toli), P.S. Sonapur, District Saran.
 2. Vikash Kumar @ Shrikant Kumar, Son of Shiv Narayan Singh @ Shiv Kumar Singh @ Shrivdhar Singh, Resident of Village Gokhul, P.S. Paroo, District Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath

For the Opposite Party/s : Mr. M.K. Nirala(App)

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CORAM: HONOURABLE MR. JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 11-02-2015

Heard.

The petitioners seek an order of bail under Section 438 Cr.P.C. in connection with Karja P.S. Case No. 10 of 2014, G.R. 89 of 2014, pending before the learned S.D.J.M., West, Muzaffarpur under Sections 406, 420 and 34 of the Indian Penal Code.

Undisputedly, the informant had finalized the sale of the land covered by sale deed dated 05.04.2011 which was again undisputedly executed by the informant Mithilesh Kumar Singh. It is also admitted that the informant had borrowed some money and he was not in a position to repay the amount back and, as such, the sale of the property was finalized and the deed was

executed.

What is alleged is that the informant Mithilesh Kumar Singh was misled and duped by the petitioners and their companions in league with the scribe of the deed and thereby got the deed executed by the informant in respect not only of the land measuring 13.25 decimal but also the house standing thereon with some trees.

The attention of the Court has been drawn to the very copy of the deed which has been filed as Annexure-2 to the supplementary affidavit and it has been pointed out that the deed has been admitted by the informant to be scribed and executed and the sale was also admitted and further that the informant had gone through the contents of the deed and had admitted the sale of the properties and that sale included mango and *jamun* trees which were standing thereon. Submission was that in fact the informant was annoyed with the petitioner because he alienated the purchased land to one Rama Devi by deed of sale dated 28.07.2011 because the land was of no use to him on account of the petitioners being outsiders.

Regarding being had to the facts and circumstances of the case, petitioners Ranjan Kumar Sharma and Vikash Kumar @ Shrikant Kumar in the event either of their arrest or surrender

within a period of four weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of the above noted court in connection with above noted case subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Dharnidhar Jha, J.)

Sanjay/-

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