

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9471 of 2015

Arising Out of PS.Case No. -1013 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Rabeya Khatoon, wife of Md. Tahir
 2. Smt. Anju Devi, wife of Ashok Kumar
 3. Rakesh Kumar Yadav, Son of Heera Yadav
 4. Munna Kumar @ Munna Kumar, Son of Late Thakur Sah
 5. Sahnawaz Ahmad Son of Manir Ahmad

.... Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Kumar Singh, Son of Late Jagdish Singh

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-04-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 406, 420, 467 and 468/ 34 of the Indian Penal Code.

It is alleged by the complainant that the complainant purchased the land in question along with Jitendra Singh, Brij Kishore Rai and Satyendra Kumar Sahi and one Pole Singh and Awatar Singh also purchased the same land. Though the Title Suit filed for the said dispute was decided in favour of the complainant and the sale deed of Pole Singh and Awatar Singh was declared forged. The same land of the complainant has been

transferred by registered sale deed by petitioner no. 1 in favour of petitioner nos. 2 and 3 in which the petitioner nos. 3 and 4 were identifier and witnesses respectively.

It is submitted by learned counsel for the petitioners that the original recorded tenant of the land was one Kashi Sonar having three sons namely Thakur, Mahavir and Parasuram. On 14.09.1983, all the three sons executed the registered sale deed in favour of one Sheikh Samsul Hoda through four sale deeds and on the basis of the said sale deed subsequently Sheikh Samsul Hoda executed three sale deeds in favour of petitioner no.1 on 06.12.2005 and, thereafter, petitioner no.1 executed the sale deed in favour of petitioner nos. 2 and 3, in which petitioner nos. 4 and 5 are identifier and witnesses respectively.

Considering the fact that the accusation has been levelled in the background of dispute with regard to title and possession of the land in question, moreover, for the sale deed executed by petitioner no.1 in the year 2005, the complaint has been filed in the year 2014, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of the learned Judicial Magistrate, 1st Class,
Gopalganj in connection with Complaint Case No.1013/2014,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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