

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22682 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Satyendra Singh, son of Sarjug Singh.
 2. Ram Chandra Sah, son of Faujdari Sah, Both resident of village-Ghataro, Thega Dih, P.S.- Kartaha, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mrinal Ranjan, son of Upendra Narayan Srivastava, Resident of village-Aamgola Nagar (Mai Sthan) P.S. Kaji Mohammadpur, District-Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh

For the Opposite Party/s : Mr. S.D.Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-06-2015 Heard learned counsel for the petitioners, learned counsel for the opposite party no. 2 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Lalganj P.S. Case No. 253 of 2014 registered under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The accusation is that father of the informant, Upendra Narayan Srivastava, died on 05.09.2013 at Gorakhpur. Petitioner Nos. 1 and 2 had approached the father of the informant to purchase his land but father of the informant refused to sell the land. After death of father of the informant, rumor spread in village that father of the informant executed a sale deed of Khata No. 1742 R.S.P.No. 2363, area 66 decimals in favour of petitioner

no. 1 and his brother Shankar Singh on 27.05.2014. The informant got certified copy of the said sale deed from Registry Office, Lalganj and found that the aforesaid sale deed is forged and there is no photograph of his father on the sale deed.

Learned counsel for the petitioners submits that the land was purchased by petitioner no. 1 and his brother co-accused, Shankar Singh but the informant after the death of his father tried to dispossess the petitioner no. 1 and co-accused Shankar Singh, to the purchased land, regarding which, co-accused, Shankar Singh, filed Title Suit No. 882 of 2014, pending in the court of Sub-Judge Ist, Vaishali at Hajipur. Further submission is that petitioner no. 2 has been made accused as he is the witness of the sale deed.

Considering the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within four weeks from today, 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 J.M. Ist Class, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 253 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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