

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4886 of 2015

Arising Out of PS.Case No. -703 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Prabhuchandra Singh
2. Rambachan Singh
Both are S/O Late Jalo Singh Resident of vill-Pokharpur, P.S-Giriak, Distt.-
Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 04-02-2015 Heard both sides.

The petitioners apprehend their arrest in Complaint
Case No. 703(c)/2013 registered under Sections 420/406/34 of the
Indian Penal Code.

The complainant alleged that she purchased two
decimals of land of Tauzi No. 12593, Khata No. 199, Plot No.
1048 on consideration amount of Rs. 1,60,000/-. When the
complainant went on the land to lay boundary wall, one Jai Singh
disclosed that he is the owner of the land.

Learned counsel for the petitioners submits that the
petitioners executed the sale deed in favour of the complainant and
put the complainant in possession of the land. One Babu Dhako

Singh has got one son, namely, Jalo Singh. Jalo Singh has got six sons including the petitioners Prabhuchandra Singh and Rambachan Singh. Jai Singh is the son of Rajendra Singh. Jai Singh is not the co-sharer of the petitioners.

On consideration of the facts, it appears that the dispute is of civil nature, for which, the complainant has got an alternative and efficacious remedy of civil suit.

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 bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.V.S. Parmar, Judicial Magistrate 1st Class, Nalanda at Biharsharif in Complaint Case No. 703(c)/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Dilip/-

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