

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43496 of 2015

Arising Out of PS.Case No. -509 Year- 2014 Thana -BUXAR District- BUXAR

1. Jitendra Prasad Singh Son of Hari Yadav
2. Umrawati Devi alias Umawati Devi Daughter of Jitendra Prasad Singh
3. Md. Rashid Mian alias Rashid Mian Son of Jamaluddin
4. Gaffar alias Gaffar Mian Son of Kade Khan
5. Akbari Khatoon Wife of Gaffar Mian
6. Birendra Singh Son of Late Ganjan Singh All resident of Village + Post Office - Ayar, Police Station - Nawanagar, District - Buxar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.47884 of 2015

Arising Out of PS.Case No. -509 Year- 2014 Thana -BUXAR District- BUXAR

Munmun Prasad Shrivastava Son of Late Sheo Shankar Lal, Resident of Village - Nava Nagar, P.O. & P.S. Nava Nagar, District - Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.43496 of 2015)

For the Petitioners : Mr. Rahul Nath, Advocate.

For the Opposite Party : Dr. Kumar Uday Pratap(App)

(In Cr.Misc. No.47884 of 2015)

For the Petitioner : Ms. Rekha Prasad, Advocate.

For the Opposite Party : Ms. Sharda Kumari (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-11-2015 Heard both sides.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 423, 420,

468, 471 and 120(B) of the Indian Penal Code.

The informant filed complaint petition on the basis of which the present FIR was lodged. The informant alleged in the complaint petition that his brother was sowing paddy in the field but Jitendra Prasad Singh and others objected and disclosed that they had purchased the land from Binay Kumar Sinha and Munmun Prasad Shrivastava.

It is submitted that Munmun Prasad Shrivastava and Binay Kumar Sinha were brothers of Tarini Prasad Shrivastava. Tarini Prasad Shrivastava filed Partition Suit No. 88 of 1996. The informant is son of Tarini Prasad Shrivastava. Munmun Prasad Shrivastava and Binay Kumar Sinha sold the lands of their own shares. The petitioners of Cr. Misc. No. 43496 of 2015 are the bona fide purchasers from the owners of the land.

Having considered the facts aforesaid and the fact that Munmun Prasad Shrivastava and Binay Kumar Sinha are the co-sharers of the father of the informant and a partition suit is also going on between the parties, the petitioners, above named, in the event of their arrest or surrender before the 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 bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the

like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in Buxar (T) P.S. Case No. 509 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

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