

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48990 of 2015

Arising Out of PS.Case No. -2533 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Ram Pravesh Prasad Son of late Sheodhari Prasad R/o Village-
Bakharaur P.s Sidhwaliya, District Gopalganj.
 2. Sita Devi wife of Ram Dhyan Prasad
 3. Ram Dhyan Prasad son of Chumkun Prasad Both R/o Village- Sipah P.s
Basantpur District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Binda Prasad Singh S/on late Lalji Prasad Singh R/o Vill- Bakharaur P.s
Sindwaliya District Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Abhay Kumar Rai (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 03-11-2015 Heard counsel for the petitioners and the State.

The three petitioners herein apprehend their arrest in
Complaint Case No. 2533 of 2012 registered under sections
420/34 IPC,34.

It is alleged in the complaint that petitioner no.2 being the
daughter of Durga Prasad sold the land in favour of petitioner
no.1 in which petitioner no.3 became a witness. The land in fact
belongs to the complainant who is the cousin of Durga Prasad and
in whose favour a deed of gift was executed.

Counsel for the petitioners states that a title suit was filed

earlier by the complainant for declaring the sale deed illegal which was decreed in favour of petitioner no.1. Aggrieved thereby an appeal has been filed which is pending consideration. The submission of the petitioners is that the matter being a civil dispute has been given the texture of criminal case.

Considering the facts and circumstances of the case, the petitioners named above in the event of arrest/surrender within four weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sri Ashish Mishra, Judicial Magistrate, Gopalganj in Tr.No. 24330 of 2015, Complaint Case No. 2533 of 2012 on condition that one of the bailors shall be their own/close family members. In the event of framing of charge, they shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel their bail bonds.

(Kishore Kumar Mandal, J)

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