

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55521 of 2015

Arising Out of PS.Case No. -127 Year- 2015 Thana -HISUA District- NAWADA

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1. Binod Prasad
 2. Pramod Prasad Both all sons of late Ayodhya Prasad Resident of Village- Hisua, P.s Hisua, District Nawada.
 3. Pushpa Devi Wife of Binay kumar Lal
 4. Binay kumar lal son of Bhanu Prakash lal Both are Resident of Village- Darwar Chowk Hisua, P.s Hisua, District Hisua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-12-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 427, 467, 468 of the Indian Penal Code.

The prosecution case is that the land of the informant was being transferred in favour of the petitioner No. 3 by imposter claiming to be Badho Yadav, father of the informant. Though the sale deed was executed in 1993 but the father of informant died much prior to 1993. It is further alleged that petitioner No. 3 executed the sale deed with regard to the land in question in favour of Ayodhya Prasad who is now dead and petitioner Nos. 1 and 2 being sons of Ayodhya Prasad have inherited the property. Petitioner No. 4 is the husband of petitioner No. 3.

It is submitted by learned counsel for the petitioners that the land was transferred in 1993 by the father of the informant in favour of petitioner No. 3 who transferred the land in question in favour of Ayodhya Prasad. Petitioner Nos. 1 and 2 are sons of Ayodhya Prasad, hence no case is made out against petitioner Nos. 1, 2 and 4 but they have been made accused since petitioner Nos. 1 and 2 inherited the property in question and petitioner No. 4 is the husband of initial purchaser petitioner No. 3.

Considering the nature of accusation, doubting the sale deed of 1993 in 2015, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 127 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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