

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23275 of 2015

Arising Out of PS.Case No. -3381 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Ram Ishwar Chaudhary, Son of Late Bishwanath Chaudhary
 2. Mina Devi, wife of Ram Ishwar Chaudhary
 3. Binod Kumar, Son of Ram Ishwar Chaudhary.

All are residents of village - Bari Yusufpur, Police Station - Industrial
Area (Hajipur Town), District - Vaishali

.... Petitioners

Versus

1. The State of Bihar
2. Smt. Malti Devi, wife of Ram Nath Chaudhary resident of village -
Maihe, Police Station - Bidupur, District - Vaishali

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard the learned counsel for the petitioners, the State

and the complainant.

The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 420, 423/34
of the Indian Penal Code.

The short fact of the prosecution case is that the
complainant Malti Devi is own sister of petitioner no.1. The
petitioner no.1 has greedy eyes over the property of her share
and for this he filed Pre-litigation Case No.141/2009 before the
Permanent Lok Adalat with wrong averment and she suddenly



received notice from Sub-Judge-VII, Hajipur, thereafter, she enquired about the facts of the case, then she applied for certified copy of impugned order and got on 11.02.2011 then she got informant that in Case No.141/2009, a compromise petition has been filed with wrong averment and on that compromise petition, her forged R.T.I. was made and other lady was produced in the court in place of her. She appeared and filed written statement in Title Suit No.534/2010.

On behalf of the petitioners, it is submitted that the petitioners have got no criminal antecedent. From perusal of the complaint, it would appear that the matter relates to civil in nature. The petitioners and the complainant are full brothers and sister. Relating to the property, in question, a title suit is also pending between the parties.

On behalf of the State and the counsel for the complainant, it is submitted that the petitioners are named in the First Information Report.

Considering the facts and circumstances of the case, let the petitioners above-named be released on bail in the event of their arrest or surrender within a period of four weeks on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Ravi Kumar, Judicial

Magistrate, 1st class, Vaishali at Hajipur in Complaint Case No.C1
3381/2011, Trial No.305/2011 subject to the condition as laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

V.K. Pandey/-

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