

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42075 of 2015

Arising Out of PS.Case No. -288 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chandra Kishore Kumar Kesari Son of Late Baidhnath Kumar
 2. Chitranjan Singh Son of Late Ramshresth Singh
 3. Kumar Baibhaw Anand alias Kumar Vaibhawa Anand Sonof Ram Kishore Kumar All are of resident of village-Marpa Mohan, P.S.-Phenhara, District-East Champaran (Motihari).
 4. Mustak Ahmad S/o Md. Saphik, Resident of Village-Sikandarpur, P.S.-Phenhara, District-East Champran (Motihari).

.... Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Kumar Son of Late Devnarayan Kumar Resident of Village-Marpa Moha, P.S.-Phenhara, District-East Champaran (Motihari)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-11-2015 Heard both sides.

The petitioners apprehend their arrest in Pakridayal P.S. Case No. 288/2014, registered for the offences punishable under Section 406, 420 and other sections of the Indian Penal Code.

The opposite party no. 2 filed a complaint petition against the above-named petitioners on the basis of which present FIR is lodged.

It is alleged in the complaint petition that petitioners and others illegally took possession of the land of the informant measuring four Katha bearing Khesra no. 1028 Khata no. 124.

Petitioners are said to have disclosed that they purchased the land from Dhiraj Kumar. It is alleged that Dhiraj Kumar has no title or right over the land and he was not entitled to sell the aforesaid land.

It is submitted that the petitioner no. 1. is purchaser of land from Dhiraj Kumar. Petitioner nos. 2, 3 and 4 are witnesses of the sale deed and deed writer.

The informant and Dhiraj Kumar are uncle and nephew. There is a civil dispute between them, but the petitioner no. 1 is *bona fide* purchaser and other petitioners are only witnesses of the sale deed and writer.

Considering the facts aforesaid, the petitioners, 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 Sub-divisional Judicial Magistrate, Sikarahana at Dhaka, East Champaran (Motihari) in connection with Pakridayal P.S. Case No. 288/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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