

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39335 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -DURAULI District- SIWAN

- =====
1. Birendra Prasad, Son of Late Mishri Sah, Resident of Village- Balua, P.S.- Guthani, District- Siwan.
 2. Mina Devi, wife of Lakshman Chauhan
 3. Lakshuman Chauhan, son of Late Sadanand Chauhan
 4. Amarjit Ram, son of Late Bhukhal Ram
 5. Kalika Saha @ Munna, son of Late Harihar Sah. All are resident of village- Basuhari, P.S.- Guthani, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-10-2015

Learned counsel for the petitioners seeks permission to withdraw the application with regard to petitioner No. 5 namely Kalika Saha @ Munna since he has been arrested.

Permission is accorded.

Accordingly the application with regard to petitioner No. 5 is permitted to be withdrawn.

Petitioner Nos.1 to 4 are apprehending their arrest in a case registered for the offences punishable under Sections 467, 468, 471, 420, 120B/34 of the Indian Penal Code.

The prosecution case is that petitioner No. 1 Birendra Prasad executed the sale deed in favour of petitioner

No. 2 Mina Devi who claims himself to be son of Late Mishri Sah, father of the informant.

It is submitted by learned counsel for the petitioners that petitioner No. 1 is own brother of informant and he executed the sale deed with regard to his own share when petitioner Nos. 3 and 4 are identifier of the sale deed. It is further submitted that petitioner No. 1 has filed Title Suit No. 257 of 2014.

Considering the accusation levelled in the background of land dispute, let the petitioners, above named, except petitioner No. 5, 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 Judicial Magistrate, 1st Class, Siwan in connection with Darauli P.S. Case No. 121 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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