

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52467 of 2015

Arising Out of PS.Case No. -26939 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ram Eakbal Rai, Son of Late Rajballave Rai,
2. Sikanti Devi, Wife of Ram Eakbal Rai,
Both resident of Village- Bairiya, P.S.- Gopalpur, District- Patna.
.... Petitioners

Versus

1. The State of Bihar
2. Mosmat Chinta Devi, wife of Late Dipa Rai, resident of Village-
Bairiya, P.S.- Gopalpur, District- Patna
.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
For the Opposite Party/s : Mr. Jitendra Kr. Roy No.1(App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in a case under

Sections 406/420/34 of the Indian Penal Code.

The complainant stated in the complaint petition that
she is a widow and gave a sum of Rs.70,000/- to her brother-in-
law (Dewar), namely, Ram Eakbal Rai, for registration of land.
However, the petitioner no.1 Ram Eakbal Rai with an intention to
cheat got the said land registered in the name of his wife
(petitioner no.2).

Counsel for the petitioners submits that the
allegations are false and each brother had purchased the land

separately. He further submits that the complainant has also filed Title Suit no. 5450 of 2014.

In the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today the petitioner no.2, namely, Sikanti Devi, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Complaint Case no. 26939 C of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The prayer for grant of anticipatory bail of petitioner no.1 is disposed of with an observation to surrender before the court below and prays for regular bail, which would be decided on its own merit without being prejudiced by this order.

(Samarendra Pratap Singh, J.)

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