

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20364 of 2014

Arising Out of PS.Case No. -2628 Year- 2008 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Most. Sheomangali Kuer @ Most. Sheomangali Kuwar W/o Late Hari Mukhiya.
2. Shankar Mukhiya S/o Late Hari Mukhiya.
Both resident of Village - Jagarnathpur, P.S. - Bettiah Muffasil, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. A.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 07-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in Complaint Case No. 2628-C of 2008 in which cognizance has been taken for the offence under Sections 420, 468 and 120B of the Indian Penal Code.

Allegedly, the petitioner no. 1 executed a sale deed in favour of co-accused Chandrashekar Prasad Sinha and for that the complainant filed this case alleging that without paying actual consideration money, sale deed has got been executed though the petitioner no. 1 resides at Haridwar.

Submission is that it is not denied that the petitioner no. 1 is not co-sharer and agnate of the complainant. She has executed sale deed in her own capacity and considering the dispute co-accused Chandrashekhar Prasad Sinha has executed the sale deed in her favour on 23.12.2008.

Considering the nature of allegation and bonafide land dispute between the parties, the petitioners Most. Sheomangali Kuer @ Most. Sheomangali Kuwar and Shankar Mukhiya are directed to be released on anticipatory bail in the event of their arrest or surrender within one month from the date of receipt/production of a copy of this order on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Complaint Case No. 2628-C of 2009, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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