

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46076 of 2014

Arising Out of PS.Case No. -633 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Mithlesh Devi, wife of Late Rajeshwar Prasad Singh,
 2. Naiydu Kumari, wife of Sanjay Kumar,
 3. Ragini Devi, wife of Pappu Kumar,
 4. Pappu Singh, son of late Rajeshwar Prasad Singh, All are resident of village-Manika Vishunpur Chand, P.S.- Mushari, District- Muzaffarpur.
- Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar
For the Opposite Party/s : Mr. Ram Naresh Ray(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 21-05-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Town P.S. Case No. 633 of 2014 registered under Sections 420, 423,
467, 468 and 471 of the Indian Penal Code.

The allegation of informant/complainant, Nresh Prasad Singh, is that accused nos. 5 and 6, namely, Dinesh Singh and Naiydu Kumari (petitioner no. 2) are his co-sharer. Accused nos. 1 to 6 were caretaker of his property as he was living outside of his native village. Accused no. 1, Sabitri Devi, sold his 34 decimal land to accused no. 7 and 8, namely, Bijay Sharma and Promod Singh and again she was also sold his 93.50 decimal land to accused no. 9, Promod Devi and she also sold 26 decimal of land to accused no.9.

Accused no. 2-petitioner no.4, Pappu Singh, sold 67.50 decimal land of complainant to accused no. 10, Sawaliya Kumar. Similarly, accused no. 3- petitioner no. 1, Mithilesh Devi, executed the gift through deed in favour of accused nos. 4 and 6, namely, Ragani Devi (petitioner no. 3) and Naiyadu Kumari (petitioner no. 2) while the said land was already sold by accused no. 1, Sabitri Devi.

Learned counsel for the petitioners submits that petitioners are the co-sharer of the complainant-informant and they have transferred the land of their own share but the informant has field this false case only to give undue pressure. It is further submitted that the dispute as appears from the complain petition while is the basis of F.I.R. is of civil in nature.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Town P.S. Case No. 633 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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